LIMITED PURPOSE AQUACULTURE LICENSE (LPA) APPLICATION

This is a joint application form for (1) a limited purpose aquaculture ("LPA") license from the Maine Department of Marine Resources (DMR) and (2) a permit for aquaculture gear from the U.S. Army Corps of Engineers (ACOE). You must have both an LPA license and Army Corps permit before you can place aquaculture gear in Maine coastal waters.

Incomplete Applications: Incomplete applications will be returned to the applicant resulting in significant delays in processing time. Do not leave any questions blank. Review each checklist carefully to make sure all required information is included. Contact Angel Wilson at (207) 624-6546 with any questions.

Fee: The Maine Department of Marine Resources requires a **non-refundable** fee of **$50** for each LPA license application from Maine residents and **$300** from non-residents of Maine. Make check payable to "Treasurer, State of Maine." There is no charge for the Army Corps permit.

Black Ink Only: Please use **black ink** when completing your application. DMR sends a copy of your application to the ACOE to expedite processing time. Colored ink and pencil often become illegible when scanned and copied and can result in delays for the applicant. **Do not submit double sided pages.**

To apply for an LPA license: Complete this application form, including the required attachments. Send one copy of the application with the attachments and the license fee to the address below. MDMR will forward a copy of your application to the Army Corps of Engineers.

DEPARTMENT OF MARINE RESOURCES
ATTN: DMR Aquaculture Program
Department of Marine Resources
32 Blossom Lane
Augusta, ME 04330

APPLICATION CHECKLIST

Before submitting your application make sure you have answered all questions and included all of the following documents. ***Failure to do so may result in significant delays in processing time.***

Required documents for all LPA applications.

☑ **Check** for application fee ($50 or $300) Payable to "Treasurer, State of Maine."

☑ **Vicinity map** with required items shown

☑ **Overhead view** depicting layout of the gear from overhead

☑ **Cross-section view** depicting gear & moorings from the side

Documents that are only required for sites that are within 300' from shorefront property (measured from mean low water mark). Applications for LPA sites in marina slips, lobster pounds, and similar sites are exempt from this requirement.

☑ **Tax map,** certified

☑ **Riparian list**, certified

☑ **Copies of receipts** for sending certified mail to riparian landowners

REQUIREMENTS AND RESTRICTIONS FOR LPA LICENSES

See DMR Regulation 2.90 for the full regulation

1. **License Limit:** No more than four licenses may be held by any individual at the same time.

2. **Density Limit:** There can be no more than four LPA license sites within a 1,000-ft. radius. Riparian landowners are allowed to have one LPA site within 150 feet of their shorefront property that does not count toward this limitation. LPA sites located in marina slips, lobster pounds, or similar enclosed or partially-enclosed sites that are owned or controlled by an entity which has the legal authority to restrict access to or use of the site and which has consented in writing to the placement of the gear on the site are exempt from this density standard.

3. **Assistants:** Up to three unlicensed assistants per license may be declared as helpers. An individual holding four licenses can be an assistant on up to eight additional licenses. If the license holder represents an educational institution, students are authorized to work under the direct supervision of the license holder or assistants.

4. **Intertidal Sites:** For LPA sites above the extreme low water mark (XLW) in towns with a municipal shellfish management ordinance approved by DMR, the chairperson of the municipal shellfish committee is required to sign the LPA application form to verify that the LPA will not unreasonably interfere with the activities of the shellfish program. For LPA sites above the mean low water mark (MLW), the signature of the riparian landowner of the adjacent upland is required on the application to verify that the landowner consents to the LPA activity being conducted on the owner's intertidal land.

5. **Water Quality:** Find the water quality classification of your LPA site on the web at http://www.maine.gov/dmr/shellfish-sanitation-management/. LPA license sites for shellfish may not be within 300 feet of any areas classified as "prohibited" and can only be located in areas that are classified as approved or conditionally approved, except for the sole culture of seed. Sites raising only shellfish seed may be located in restricted, conditionally restricted, or prohibited areas subject to relay requirements, but are prohibited in the 300:1 dilution area around a wastewater treatment plant outfall (DMR Rule Chapter 2.90(3)(D)(3)). Water quality classification restrictions do not apply for the culture of green sea urchins or marine algae, with the exception of marine algae for human consumption, which cannot be grown in the 300:1 dilution area around a wastewater treatment plant outfall.

6. **Essential Habitats:** LPA licenses may not be located within areas designated as Essential Habitat by the Maine Department of Inland Fisheries and Wildlife (MDIFW).

7. **Eagles Nests:** Eagles Nests: Bald and Golden Eagles are not protected under the Endangered Species Act but are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.) by the U.S. Fish & Wildlife Service (USFWS). As such, the USFWS recommends that all structures and activity should be limited to no closer than 660 feet of an active nest to avoid disturbing eagles under the Eagle Act. Contact Erynn Call at MDIF&W at erynn.call@maine.gov or (207) 941-4481 for questions regarding the location and status of eagle's nests.

8. **Riparian Landowners:** You are required to notify all shorefront or intertidal land owners within 300 feet of the license site by sending, via certified mail, a copy of the LPA application, including information about how riparians can submit comments to DMR regarding issuance or renewal of the license. Notification requirements apply to privately and publicly (municipal, state, or federal) owned lands.

9. **Army Corps Permit:** A permit from the U.S. Army Corps of Engineers is required prior to the placement or use of any gear in the license area. For more information about the Army Corps permit, contact the U.S. Army Corps of Engineers at the Maine Project Office, 442 Civic Center Drive, Ste. 350, Augusta, Maine 04330, or at (207) 623-8367.

10. **Renewing your LPA License:** LPA licenses expire on December 31 each year. DMR will send you a renewal form in November and an invoice for the renewal payment in early December. If these steps are not completed before December 31, your LPA will expire, your Army Corps permit will become invalid, and you will be required to remove all gear from the LPA site by December 31.

IMPORTANT INFORMATION FOR LPA LICENSEHOLDERS

Source: DMR Rule Chapter 2.90 (5) and (6)

1. **No Discharge.** *See Chapter 2.90 (5)(A).* The licensed activity must not generate a discharge. This means that you cannot add any foreign substances to the water, such as feed or medicine.

2. **Carry a copy of the LPA License.** *See Chapter 2.90 (5)(B).* You and your named assistants are the only people legally allowed to handle aquaculture gear belonging to you. You must each carry a copy of the LPA license whenever you are engaged in any activity at the LPA site. If a National Weather Service-issued hurricane warning is in effect, then others may also assist you and handle the gear.

3. **Restrictions on Harvest.** *See Chapter 2.90 (5)(C)(1).* Harvest of shellfish is prohibited in areas closed due to marine biotoxins or bacterial pollution. For details about closed areas, see the Department's web site at: http://www.maine.gov/dmr/rm/public_health/shellfishgrowingarea.htmshellfish-sanitation-management/ or call DMR Marine Patrol Division I at 207-633-9595 (for areas west of Port Clyde), or Division II at 207-664-2392 (for areas east of Port Clyde), or call the Shellfish Sanitation Hotline at 1-800-232-4733. LPAs do not qualify for Memorandum of Understanding agreements to allow exemptions from biotoxin closures.

4. **Record-Keeping and Annual Report.** You must maintain complete, legible, and accurate records of transport, transfer, harvest, and monitoring and keep these available for inspection for at least two (2) years; and submit to the Commissioner an annual report of these activities. The records must include the following:

   (1) LPA acronym, site location, date
   (2) Source of shellfish, including seed if the seed is from growing areas which are not in the approved classification status pursuant to Chapter 2.90 and/or Chapter 94;
   (3) Dates of transplanting and harvest;
   (4) Detailed records of sales;
   (5) Records of the origin and health status of all seed or shellfish stocks reared on the site must also be maintained.

5. **Site Marking.** *See Chapter 2.90 (6)(B).* Mark your LPA site at each corner or at the center with buoys supporting letters at least 2" high spelling "Sea Farm". Each buoy must also clearly display your Site ID. Corner buoys, if any, must be distinguishable from interior markers and gear.

6. **Maintenance Standards.** *See Chapter 2.90 (6)(A).* All aquaculture gear must be maintained and kept in a fully operational condition. You must collect and/or remove any loose or errant gear or equipment. Storage of gear when not in use must be located in an upland location and not on the substrate or on marsh vegetation. You must be proactively ensuring that bird or mammal waste does not accumulate on gear and adversely impact water quality on or around your LPA.

7. **Contact the Coast Guard.** *See Chapter 2.90 (6)(C).* You must contact the U.S Coast Guard Private Aids to Navigation Office for approval of navigation marking devices according to the United States Coast Guard Private Aids to Navigation (PATON) standards. To begin the application process, go to http://www.usharbormaster.com and register. Send DMR a copy of any Coast Guard marking requirements.

Applicant Contact Information

Name of Applicant (must be a person)	Sam Feldman
Address	1087 Mere Point Rd.
City	Brunswick
State, Zip	Maine 04011
Telephone	207-751-3534
Email*	sfeldman918@gmail.com
Date of Birth (must be a minimum of 14 years old to apply)	4-6-1990

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

Assistant Information

Are you listed as an assistant on any existing LPA licenses?	*If yes, list the LPA Acronyms:* Yes, JDEV319 and JDEV419
Do you have any other current LPA licenses?	*If yes, list the LPA Acronyms:* NO
Assistants	1) Dan Deveraux 2) Jenna Brooks 3) Donnie Shea

Location of License Site

Town	Harpswell
County	Maine
Waterbody	Mere Point Bay
Additional description *(e.g., south of Hog Island)*	Northwest of Birch Island
LPA Health Zone *(More information on LPA Health Zones can be found on MDMR's website)*	5
Is this site above mean low water (is the site intertidal)?	Yes
If no above, is this site above extreme low water (does the site ever drain)?	*NOTE: If intertidal or above the extreme low water line, the Chair of the Municipal Shellfish Management Committee in your site town must sign this application.*
Purpose	☑ Commercial (product is ultimately sold) ☐ Recreational (product kept for personal use, not sold) ☐ Municipal Shellfish Management ☐ Scientific ☐ Educational

Species and Source of Stock: ***Check each species you intend to cultivate in the current license year.*** Also, list the source of stock **for each.** New species can be added in subsequent annual renewals. ***Note:*** **Any seed that does not come directly from an approved hatchery is considered "wild" seed and must come from within the LPA License Health Area in which your license is located. If seed or stock is to be acquired from outside of your LPA Health Area you must obtain a transfer permit from DMR. * Clams may only be sourced from an approved hatchery.**

Check Here	Species	Source of Stock (Name, Address, Phone)	Approved Hatchery	"Wild", Same LPA Health Area	"Wild", Different LPA Health Area (Transfer Permit Required) *
☐	Blue mussel (*Mytilus edulis*)		☐	☐	☐
X	Hard clam/quahog (*Mercenaria mercenaria*)	Downeast Institute Wildflower Dr. Beals, Maine 04611 207-497-5769	X	☐	☐
☐	Soft-shelled clam (*Mya arenaria*)		☐	☐	☐
X	American or eastern oyster (*Crassostrea virginica*)	Mere Point Oyster Company 1087 Mere Point Rd. Brunswick Maine 04011 207-729-3651	☐	X	☐
☐	European oyster (*Ostrea edulis*)		☐	☐	☐
☐	Sea scallop (*Placopecten magellanicus*) **(Adductor muscle only for harvest)**		☐	☐	☐
☐	Green sea urchin (*Strongylocentrotus droebachiensis*)		☐	☐	☐
☐	Bay scallop (*Aequipecten irradians*)**(Adductor mussel only for harvest)**		☐	☐	☐
☐	Marine algae (all seaweeds, including kelp)	***List each individual marine algae species and sources of stock here:***	☐	☐	☐

***If your source of stock is not from an approved hatchery and is outside of your LPA Health Zone, please contact Marcy Nelson at DMR for a transfer permit prior to placing anything on your LPA site. Marcy.Nelson@Maine.gov or 207-441-4681.**

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 at DMRPublicHealthDiv@maine.gov to discuss your plans.

Water Quality Information

Growing Area Designation (e.g. WA(A) or WA(P1)	WJ
If you are applying in a prohibited area, site can be utilized for seed only per DMR Rule 2.90(3)(d)(3).	Please check box to indicate understanding and agreement: ☐

Water Quality Information can be found here:
http://www.maine.gov/dmr/shellfish-sanitation-management/closures/pollution.html

Coordinates

Enter geodetic coordinates for the center point of the license site below. Please enter your coordinates in one of the following three formats:

1) Degrees, Minutes, Seconds (43° 12' 34.56" N, 69 12' 34.56" W)
2) Degrees, Minutes (43° 12.34' N, 69° 12.34' W)
3) Decimal Degrees (43.123456 N, -69.123456 W) (Preferred format)

Latitude	43.829712	W
Longitude	-69.998526	N

Site Characteristics

Describe the surrounding uplands *(i.e. forested, residential, farmland, commercial)*:
Forested and sparsely populated with seasonal cottages
Describe the bottom characteristics (*description of substrate including flora and fauna*):
Intertidal Mud Flats (Soft Sediment/Shellhash
Describe the bottom characteristics (*description of substrate including flora and fauna*):
Soft sediment and shellhash
Depth
Depth at mean low water in feet: 0 Depth at mean high water in feet: 10'
Is your site located within an Essential Habitat by the Maine Department of Inland Fisheries and Wildlife (MDIFW) Essential Habitat?
☐ Yes ☑ No
Eelgrass: Are there eelgrass beds on or near the site? If none, write "None." If so, where? How far are they from the site?
Eel grass exists in the subtidal areas to the west approximately 300'
When were these eelgrass observations made? **Month and Year**:
September 2020

Existing Uses: Describe, in detail, all current uses of the waters on and around the proposed license site. *Including the type, frequency, season, duration, and amount of activity.*

Commercial Fishing
Site visit was conducted 2/5 by the Town of Harpswell, light clamming exisit in the upper intertidal, along the island shoreline, none near the proposed LPA's. No Lobstering in the intertidal. No worm digging witnessed in the area.
Recreational Fishing
Ocassional Recreational Fishing along the east and west sides of the island
Boating Activities
There is very little recreactional boating that occurs. Boaters will cut between the island when tides allow. The local channel is in the center of the two islands nearly 800 ft from the proposed sites. Sites will also be marked to avoid any navigational concerns.
Other uses (kayaking, swimming, etc.)
Kyaking exist around Whites and Birch Island. Deer hunting on the islands in the fall. Duck hunting in Mere Point Bay.

Harbormasters Initials indicating the "existing uses" information is correct: _____

VICINITY MAP

Attach a vicinity map showing the LPA site and surrounding area. An enlargement of a NOAA chart or USGS Topographic map is suggested to provide this information. On the map, show the following:

- Location of proposed site
- 300' radius circle around site
- 1,000' radius circle around site
- North Arrow (indicate true or magnetic north)
- Show depth contours and indicate mean low water (MLW) and mean high water (MHW) on all land adjacent or nearest the site.
- Ebb and Flood directions
- Scale used on plan
- Distance to DMR water quality closure lines
- **Gear orientation MUST be shown**

Label the location on your vicinity map, and check each of the following below, that are within 1,000 feet of the site. For each that applies, also indicate how your proposed site would impact each. If additional space is needed add an additional page.

☐ Federal navigation projects or anchorages

☐ Navigational channels

☐ Structures

☐ Aquaculture leases or licenses (LPAs)

☐ Anchorages or moorings

☐ State or federal beaches

☐ Docking Facilities

☑ None of the above

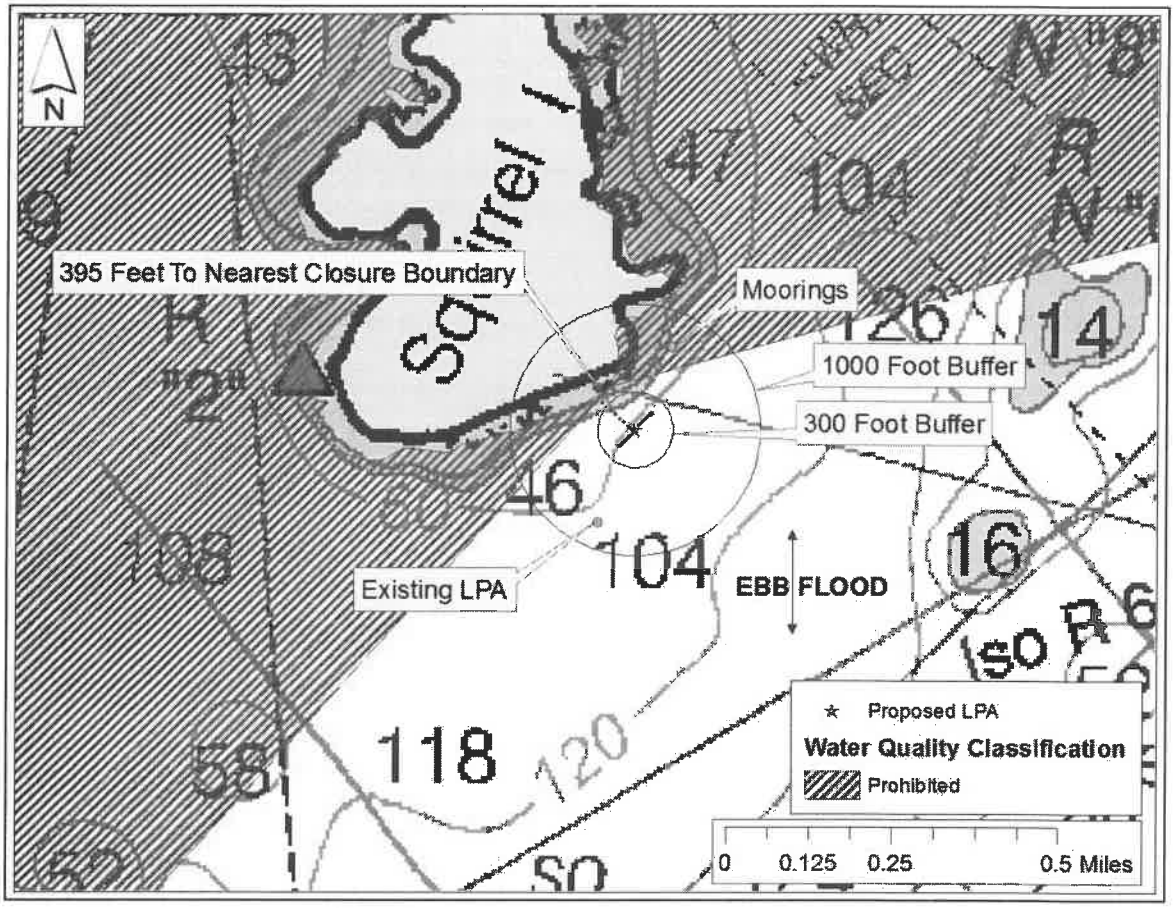


Figure 1. Example Vicinity Map. Additional sample drawings available at http://www.maine.gov/dmr/aquaculture/forms/lpa.html

GEAR DESCRIPTION

No Gear (bottom culture only): Organisms will be cultured on the bottom with no gear or predator netting.

Upweller: Floating upweller system for spat growout.

Shellfish rafts, associated predator nets and spat collectors: Floating raft with suspended dropper lines and anti-predator netting typical of mussel culture. E.g. mussel raft.

Shellfish tray racks and over wintering cages: Box shaped cages made of rigid mesh (wire coated or plastic), often with interior shelves designed to hold soft mesh bags. Tray racks are often outfitted with floats that double as feet to hold the cages off the bottom. E.g. OysterGro and OysterRanch cages.

Soft bags, semi rigid bags, and/or floating trays: Single-layer soft mesh bags that are typically made of rigid plastic or wire mesh. Bags are most frequently floated on the surface in lines, placed inside tray racks/overwintering cages, or sunk to the bottom.

Lantern nets and/or pearl nets: A lantern net is a five or ten tier set of circular nets suspended from a central line. A pearl net is a single, pyramidal mesh enclosure.

Fencing and brushing: Gear used in the intertidal zone for collection of soft shell clam spat.

Scallop spat collector bags: Mesh bags containing additional material (e.g. smaller mesh, Brillo pads) to increase surface area. Multiple bags are typically attached to a single vertical line.

Scallop ear hangers: Horizontal or vertical lines that attach to individual scallops by ear hangers.

Marine algae gear: Gear typically used may include rope, rafts with ropes attached, bags, longlines, and or rope grids.

Bottom anti-predator netting: Netting that is spread over the bottom to exclude predators from species being cultured.

Check each gear category that you are seeking authorization for.

- ☐ No Gear (bottom culture only)
- ☐ Upweller
- ☐ Shellfish rafts, associated predator nets and spat collectors
- ☑ Shellfish tray racks and over wintering cages
- ☑ Soft bags, semi rigid bags, and/or floating trays
- ☐ Lantern nets and/or pearl nets
- ☐ Fencing and brushing
- ☐ Scallop spat collector bags
- ☐ Scallop ear hangers
- ☐ Marine algae
- ☐ Bottom anti-predator netting

LIST EACH INDIVIDUAL GEAR TYPE THAY YOU WILL USE IN THE TABLE BELOW

Specific Gear Type and Maximum Number to be used *(e.g. (20) soft mesh bags)*	**Dimensions** *(e.g. 16"x20"x2")*	**Dates that gear will be in the water**
120 APDI Bags	16" x 4" x 30	April - December
120 ZAPCO Tumblers	Cir. 16" X 33" Long	April - December

Outer dimensions of maximum gear layout: *Note: Gear, excluding mooring equipment, may not exceed 400 square feet and must be provided in whole feet.*
Width (1' or more): 1' Length (1' or more): 400'
Describe the moorings/tackle to be used inclusive of mooring type, bottom tackle, line, etc.
Tumblers and Bags will be attached to a line that is held up off the mudflats approximatley 2' using rebars and 2" PVC pipe driven into the mud flats.
Will there be seasonal changes to your gear deployment? If yes, describe. *(i.e. will your cages be sunk during the winter months, will your longlines be removed in the summer, etc)*
All gear will be removed from the site by mid Dec. Oysters will be placed in bags, cages or on in winter wet storage docks owned by Mere Point Oyster Co. MAQ-MP

OVERHEAD VIEW AND CROSS-SECTIONAL VIEW OF GEAR LAYOUT

ATTACH both an overhead view <u>and</u> cross-sectional view drawing on 8 ½" x 11" paper, drawn clearly and dark enough to photocopy. Do not use color shading; it will not show on copies. Additional sample drawings are posted on the DMR web site at:
http://www.maine.gov/dmr/aquaculture/forms/lpa.html

Overhead View: From an overhead view, show the **maximum** layout of gear to be deployed on the site. **Label** gear to show number of units, dimensions, and materials. Include drawings of individual types of gear. Show on the plan that the area occupied by the gear, excluding mooring equipment but including space between items of gear, will not exceed 400 square feet.

NOTE: A SEPARATE OVERHEAD VIEW DRAWING IS REQUIRED FOR EACH POSSIBLE GEAR CONFIGURATION, INCLUDING CHANGES FOR OVERWINTERING

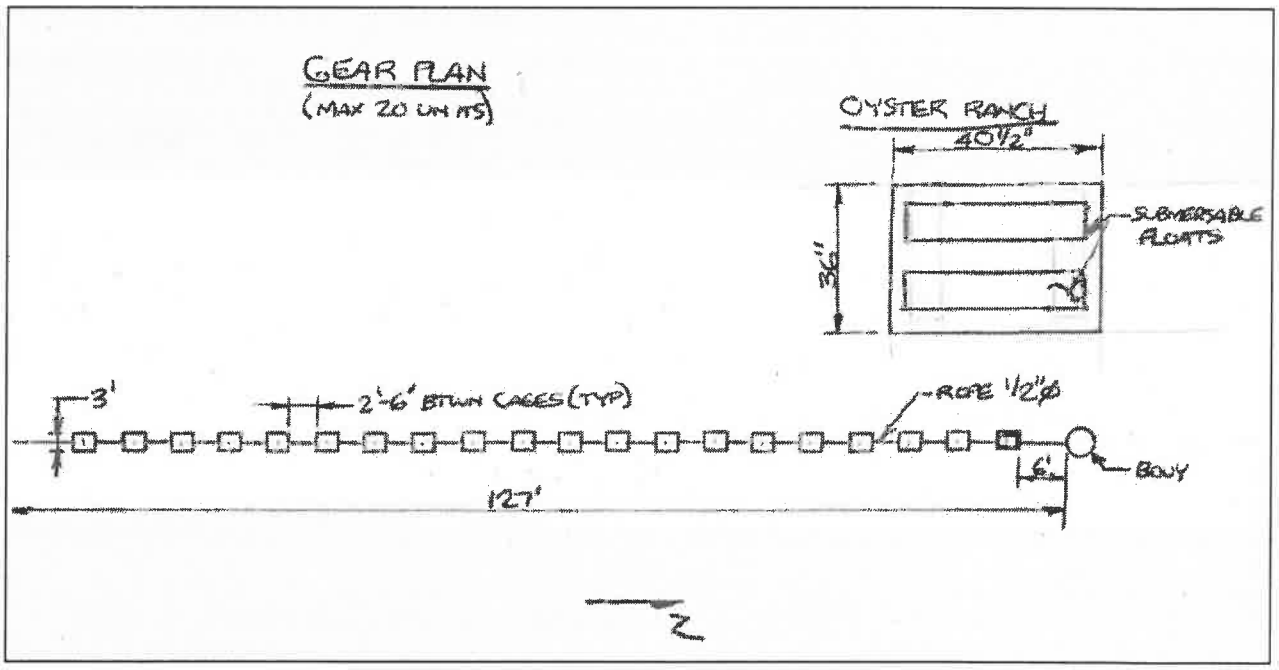


Figure 2. Example overhead view of gear.

Cross-Section View: **Show** the sea bottom substrate, mean high and low water marks, and profiles of gear in cross-section as it will be deployed. **Label** all gear with dimensions and materials. **Show** mooring gear with mooring type, scope, hardware, and line type and size. Drawing must depict water depth at mean high- and mean low-water.

NOTE: A SEPARATE OVERHEAD VIEW DRAWING IS REQUIRED FOR EACH POSSIBLE GEAR CONFIGURATION, INCLUDING SEASONAL CHANGES.

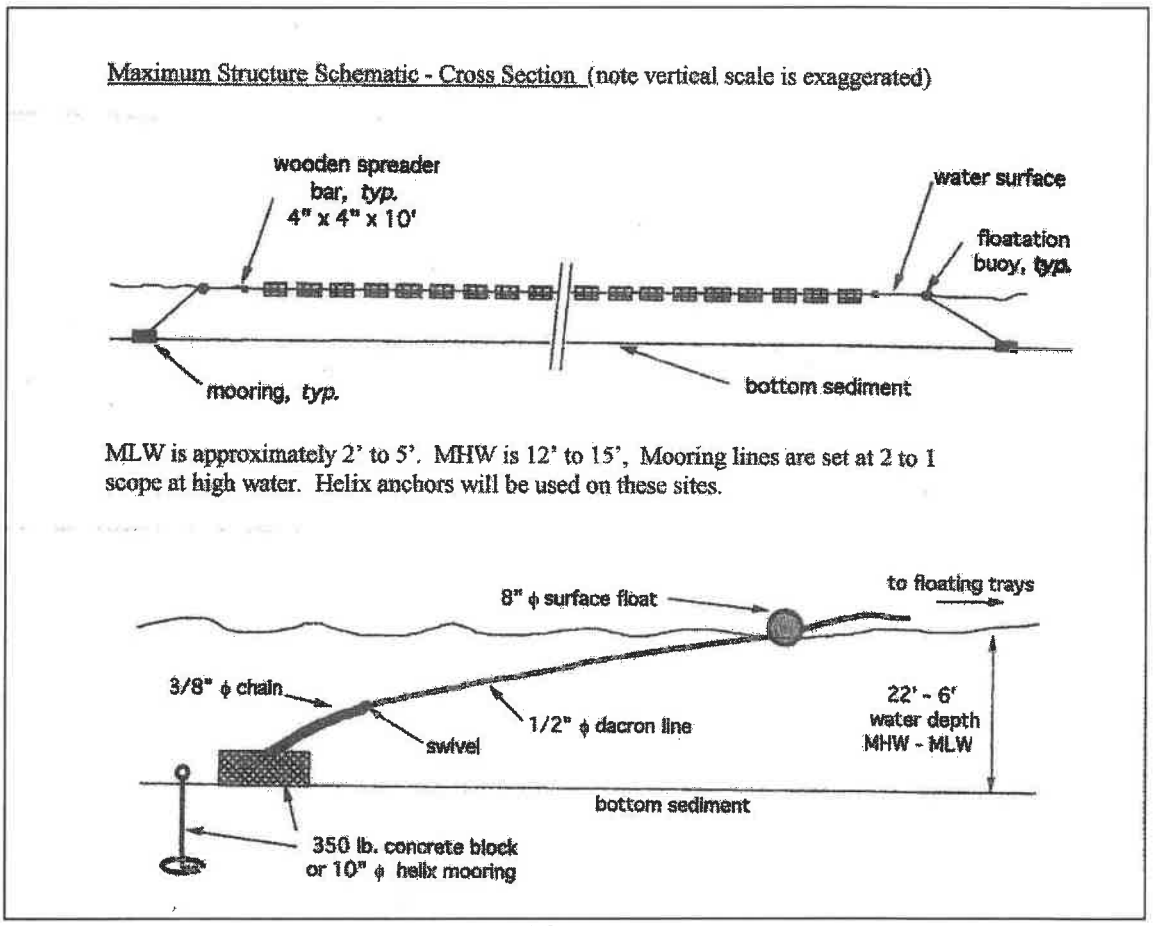
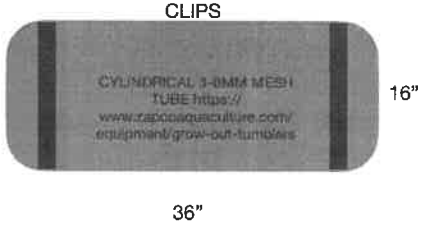


Figure 3. Example Cross Sectional View of Gear

3" X 30" POLYETHYLENE FLOAT
ATTACHED WITH ZIP TIES

ZAPCO OYSTER TUMBLERS WITH BUILT
IN FLOATATION ATTACHED WITH
STAINLESS STEEL LINE
CLIPS



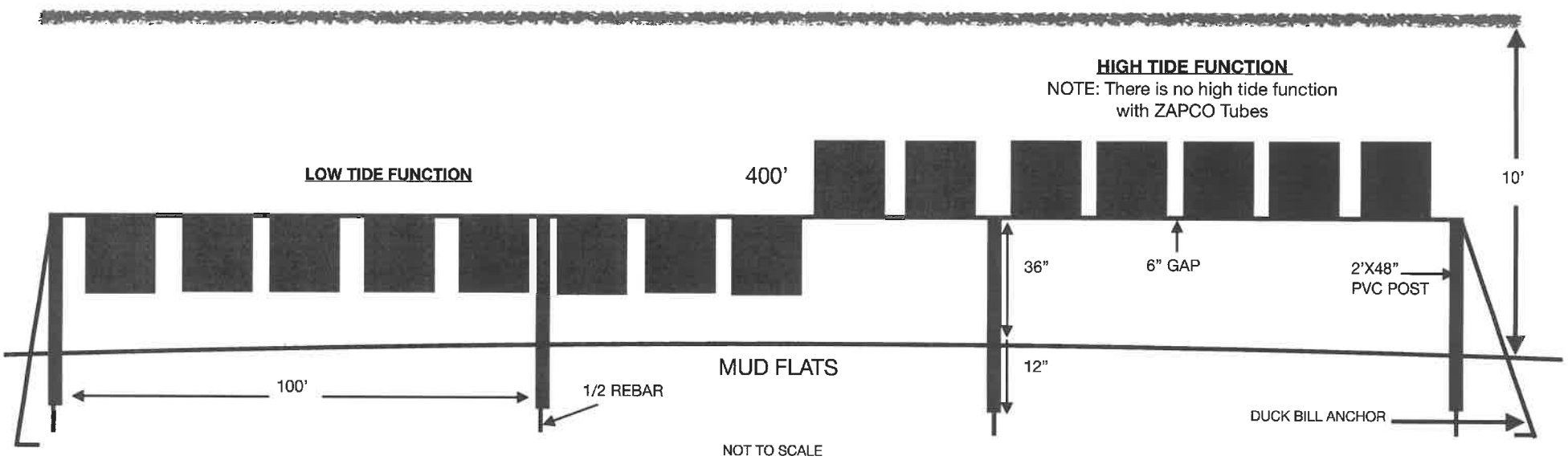
DETAILS:

120 ADPI MESH BAG OR 120 ZAPCO OYSTER TUMBLERS, OR A MIX OF EACH ATTACHED TO 1/2' FLOATING LINE WITH TWO STAINLESS STEEL LINE CLIPS PER BAG OR TUBE. BAGS OR TUBES WILL BE HUNG ON A LINE EXTENDING BETWEEN 48" PVC POST, REENFORCED WITH REBAR DRIVEN DOWN THE CENTER INTO THE MUD FLATS 18-24 INCHES.

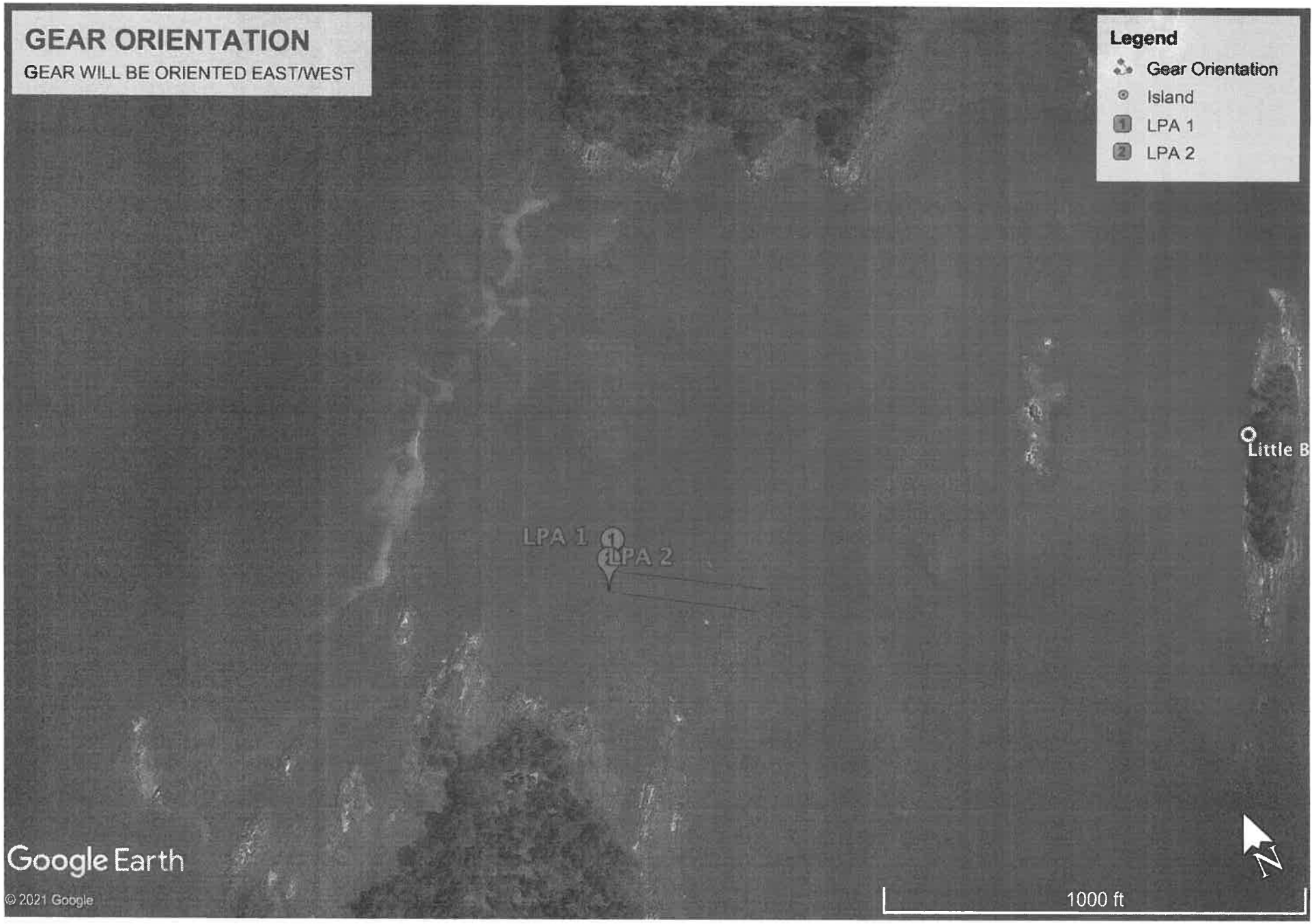
PVC & REBAR WILL BE SPACED 100 FEET APART FOR A TOTAL OF 5 PVC/REBAR POST. EACH END OF THE LINE WILL BE SECURED WITH A DUCK BILL ANCHOR

OVERHEAD VIEW

SIDE VIEW

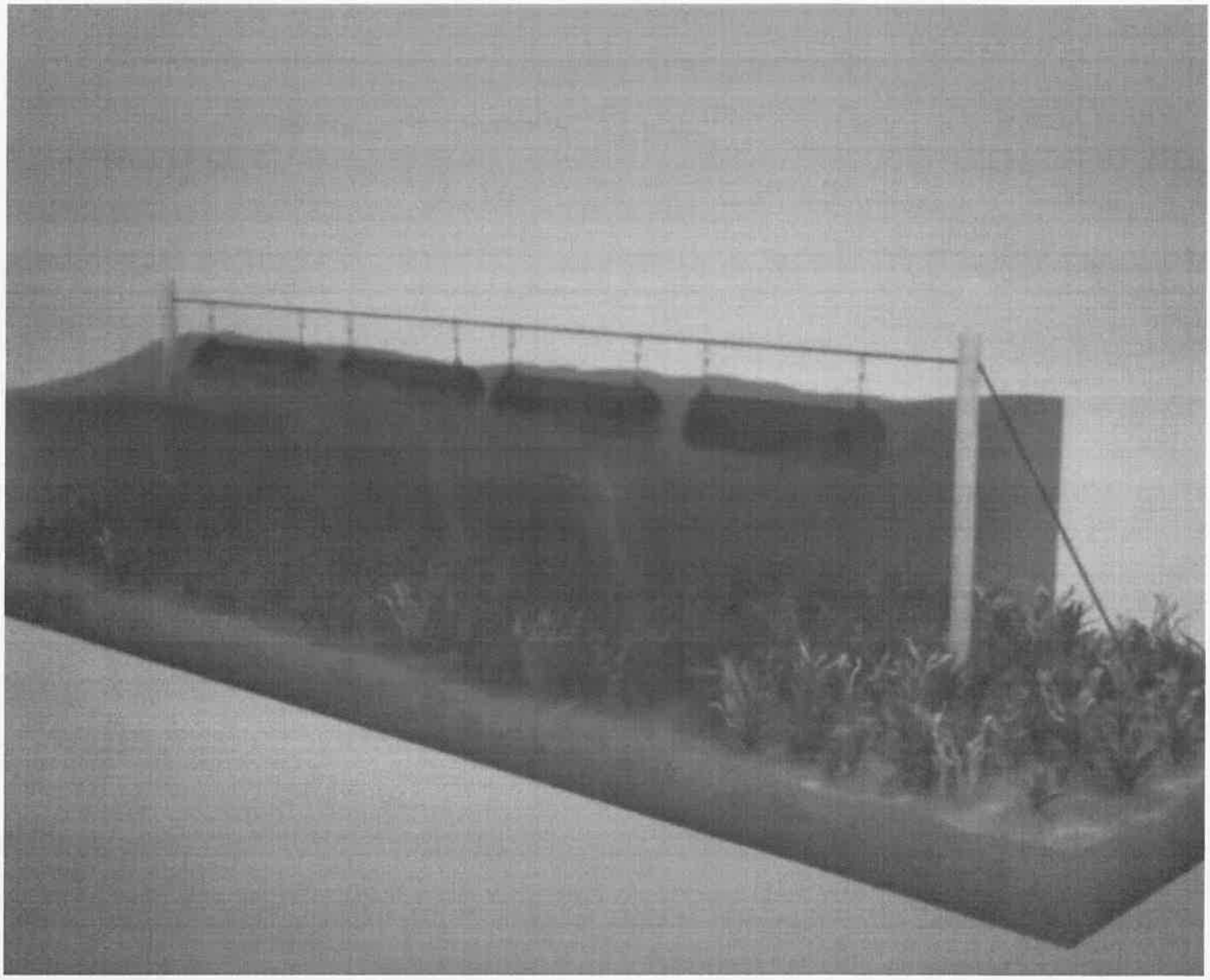


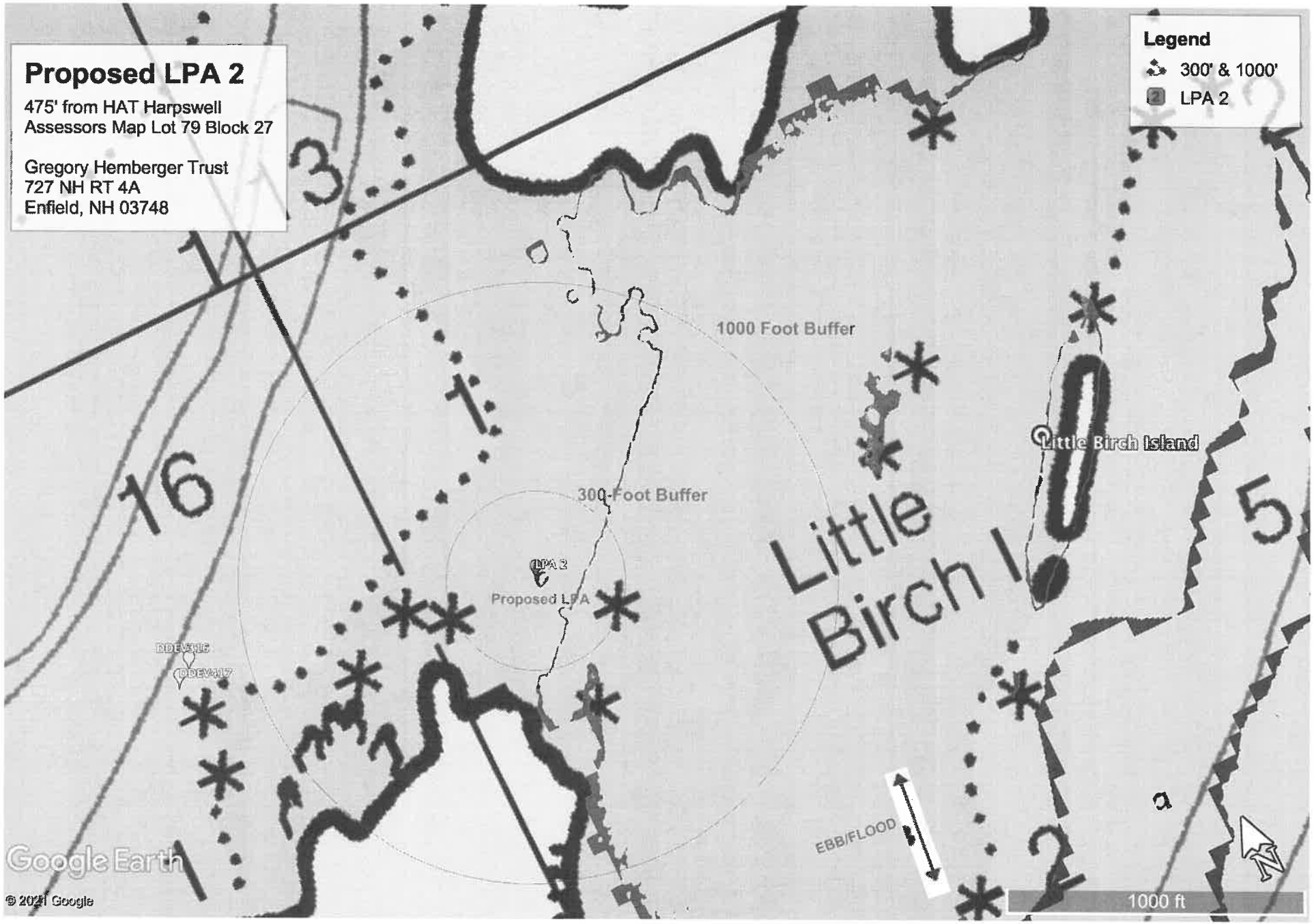
10" Poly Buoys will be attached at each post to mark the side at all tidal stages


GEAR ORIENTATION
GEAR WILL BE ORIENTED EAST/WEST
Legend
Gear Orientation
Island
LPA 1
LPA 2
LPA 1
LPA 2
Little B
Google Earth
© 2021 Google
1000 ft
N

EXAMPLE OF INTERTIDAL SYSTEM
USING ADPI BAGS WITH FLOATS AT
LOW TIDE

Zapco Tumbling System on incoming tide
https://youtu.be/Gs2R2mAY4uE




Proposed LPA 2
475' from HAT Harpswell
Assessors Map Lot 79 Block 27
Gregory Hemberger Trust
727 NH RT 4A
Enfield, NH 03748
Legend
300' & 1000'
LPA 2
1000 Foot Buffer
300 Foot Buffer
LPA 2
Proposed LPA
Little Birch Island
Little Birch I.
EBB/FLOOD
1000 ft
Google Earth
© 2021 Google

REQUIRED SIGNATURES

Harbormaster or Town Official Signature

I have reviewed this license application and find that this activity, as proposed, will not unreasonably interfere with navigation, the ingress and egress of riparians within 300' of the license site, or fishing or other uses of the area.

_____ _____
Print Name, Town, Title: Date

_____
Signature of Harbormaster or Town Official

Note: Harbormasters may attach an additional page outlining any conditions associated with their approval of this license.
DMR Rule Chapter 2.90 (2) (D) (2) – In municipalities not served by a harbormaster, a municipal officer (selectman, councilor, alderman, or mayor, see 30-A MRS §2001 (10)) or other **elected municipal official may sign the application. For the unorganized territory where a harbormaster does not have jurisdiction, a marine patrol officer may sign.*

OTHER SIGNATURES REQUIRED AS NOTED BELOW

Marina or Pound Owner

(For sites in marina slips, lobster pounds, and similar areas - see DMR Rule Chapter 2.90 2 (E)(1)

I,_____(print name), am the owner or the authorized representative of the owner or entity that has the legal authority to restrict access to or use of the marina slip, lobster pound, or similar area where this LPA license site is located, as described in DMR Rule Chapter 2.90 (1) (B). I consent to the placement of aquaculture gear on this site as proposed in this application.

Signed:_____Date: _____

Riparian Landowner of Intertidal Zone:

(For sites above mean low water, MLW – see DMR Rule Chapter 2.90 (2)(D)(3)(b)

I,_____(print name), am the riparian owner of the upland and adjacent intertidal land where this LPA license site is located. I consent to the placement of aquaculture gear on this site as proposed in this application.

Signed:_____Date: _____

Shellfish Committee Chair

(For sites above extreme low water, XLW see DMR Rule chapter 2.90(2)(D)(3)(a). Only required in municipalities with an established Municipal Shellfish Committee)

I,_____(print name), am the chairperson of the Municipal Shellfish Management Committee for the Town of_____This LPA license site is located above the extreme low water mark. My signature below verifies that this LPA will not unreasonably interfere with the activities of the municipal shellfish management program, according to DMR Rule Chapter 2.90 (3) (a).

Signed:_____Date: _____

Riparian Notification

Is there shorefront land (including land above MLW and state and federal owned land) within 300 feet of the proposed license site?

☑ Yes ☐ No

If yes, you are required to send a copy of your application to all riparian property owners whose property is within 300 feet of the proposed license site following the directions below. If there is no shorefront land within 300 feet, you may skip this section. Applications for LPA sites in marina slips, lobster pounds, and similar sites are exempt from this requirement.

INSTRUCTIONS FOR NOTIFICATION TO RIPARIAN LANDOWNERS

Step 1, Tax Map: Obtain a certified copy of the municipal tax map showing the land in the vicinity of the lease site. On the map, **mark** the center point of the LPA site. If there is an accurate scale on the map, **draw** a 300-foot radius around the site. **ATTACH THE MAP TO YOUR APPLICATION**

NOTE FOR LPAs PROPOSED IN UNORGANIZED TERRITORY: To obtain a list of shorefront properties for LPAs in Unorganized Territory, contact Lisa Whynot, Property Appraiser II, Unorganized Territory, 24 State House Station, Augusta, Maine, 04333.

Step 2, Riparian Owners List: On the "Certified Riparian List" (Page 17 below), list the names and current mailing addresses of all riparian landowners of shorefront land within 300 feet of the lease site as shown in the municipal tax records. **Have the list certified by the municipal clerk or tax collector**. **ATTACH THIS LIST TO YOUR APPLICATION**

Step 3, Notify Riparians: Send a copy of the completed application, including the page of this application titled "Notice to Riparian Landowners" (Page 16 below), via **certified mail** to all the riparian landowners on the list. Note: Name and address must be filled out on receipt(s). **ATTACH THE ORIGINAL (OR COPIES) OF THE RECIEPTS TO YOUR APPLICATION**

[THIS SECTION INTENTIONALLY BLANK]

NOTICE TO RIPARIAN LANDOWNERS

You have received a copy of an application to the Maine Department of Marine Resources for a limited-purpose aquaculture (LPA) license to grow shellfish or marine algae (seaweed) in an area of Maine coastal waters covering no more than 400 square feet. DMR rules require the applicant to send a copy of the application to owners of shorefront land that is located within 300 ft. of the proposed license site.

This is a very small-scale aquaculture project. The town harbormaster or other official is required to sign the application form to certify that the project will not unreasonably interfere with navigation, fishing or other uses, or the ingress and egress of riparian landowners.

Please contact DMR at the address below within the next two weeks if you have comments or concerns about the impact of the proposed license on your ability to move to and from your shore by water.

Should the license be granted, please contact us if you have concerns about the operation of the license site at any time. You should feel free to contact the licensee with any concerns, as well; the contact information is listed on the first page of the application form.

LPA licenses are issued for the calendar year; they expire on December 31, and they can be renewed at that time for the following year. If the licensee applies to renew this license in future, DMR will notify the municipality and request it to post the notice of the renewal application at the town office. Riparian landowners may submit comments to DMR about the proposed renewal within 14 days of the date of the notice.

DMR will consider all comments received in the course of the renewal process, as well as any comments received during the course of the previous year of operations under the license, in determining whether the license should be renewed for an additional year.

To submit comments to the Department about this LPA license site at any time, please contact:

DMR Aquaculture Program
Department of Marine Resources
32 Blossom Lane
Augusta, ME 04332
dmraquaculture@maine.gov

April 14th 2021

Dear June,

I hope this letter finds you and your family well. Thank you for taking the time to discuss our oyster farming proposals over the phone and through emails. Our crew is excited about the project and ready to start this summer on a very small scale. As I explained, the Maine Department of Marine Resources aquaculture review division is seriously backlogged and it will take a minimum a 1-3 years to receive an approval on larger projects requiring leases. Understanding our enthusiasm to start this summer, we opted to have Sam Feldman from MPOC apply for two Limited Purpose Aquaculture License in the immediate area of our larger proposal.

Sam has worked with Mere Point from its inception in 2018. Sam is a University of New England Food System Masters candidate who will be defending his thesis this month. Sam is known around the oyster farm as the seed master, Sam takes care of all the baby oysters and shellfish when they are in the nursery stage. He is meticulous with his work and we are confident in his abilities to oversee this intertidal project.

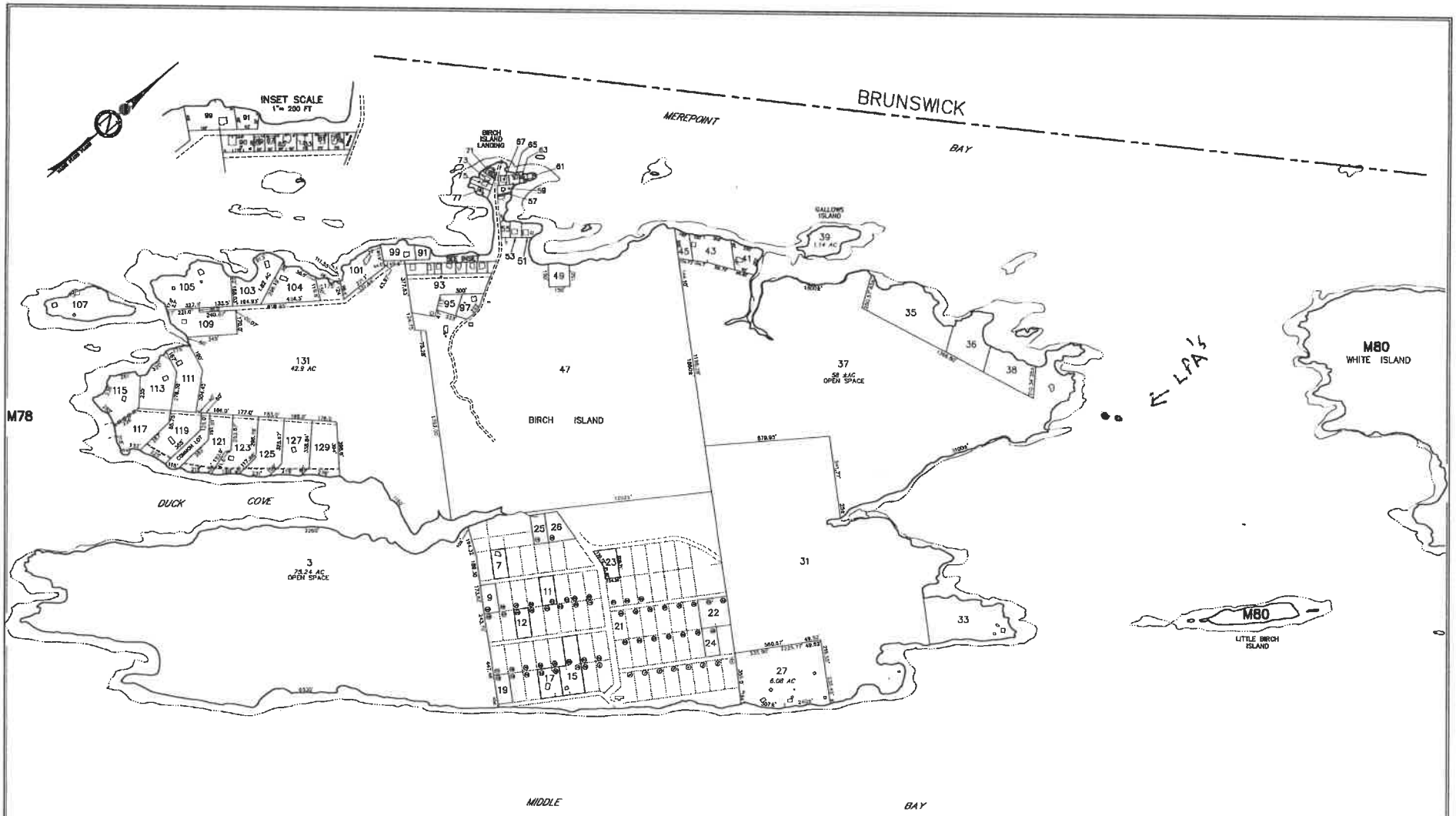
LPA's are annual licenses in individual names that allows the farming of 400 square feet. If the proposed LPA are situated in the intertidal areas they require abutting landowner signatory permission (pages 11,12,13) of the enclosed application. Please review, sign, and place **both** signatory sheets (**page 11**) in the self addressed stamped envelope and return to us, and discard the remaining pages.

Just for your information we met on February 5th with Town Officials and members of the Harpswell Shellfish Committee. We conducted a limited evaluation of the area in determining if there were any existing commercial populations of wild shellfish. There is sparse populations of soft-shell clams along the shore but none near our proposed area. We were also sure to check with the Maine Department of Inland Fish and Wildlife for any critical or protected wildlife habitats, there are none.

If you have any questions please feel free to give us a call.

Sincerely,

Daniel Devereaux
Sam Feldman



PREPARED BY: AERIAL SURVEY & PHOTO, INC.
AIRPORT ROAD, NORRIDGEWOCK, MAINE
(207) 634-2006
BASED ON PHOTOGRAPHY DATED: 05-07-96

NOTE: [illegible]

BLDGS UPDATED 10 APRIL 2012

LEGEND:

PARCEL NUMBER	388	PARCEL AREA	20,000 SF or 7,000 AC
SURVEY OR DEED DIMENSION	161.21'	SUBDIVISION LOT NO.	9
BUILDING		SHORELINE (HIGH TIDE)	
MATCH LINE		ADJACENT MAP	M14

STATE HIGHWAY / TOWN ROAD / PRIVATE WAY

HORIZONTAL DATUM: MAINE STATE PLANE WEST ZONE

PROPERTY MAP
TOWN OF HARPSWELL
CUMBERLAND COUNTY, MAINE
SCALE: 1"=300' APRIL 1, 2020

RIPARIAN OWNERS LIST

For LPA applications

THIS LIST MUST BE

******CERTIFIED******

On this list, please show the current owners' names and mailing addresses for all shorefront parcels within 300 feet of the proposed license 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 form below. If the parcels are within more than one municipality, provide a separate, certified, riparian list for each municipality.

TOWN OF: Click or tap here to enter text.

MAP ##	LOT #	Landowner name(s) and address(es)
79	37	Gregory Hemberger Trust 727 NH RT 4A Enfield, NH 03748

CERTIFICATION

I, Catherine J Doughty Deputy Town Clerk for the Town of Harpswell, 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: Catherine J Doughty Deputy **DATE:** 04/14/2021

SEAL:

MAP ##	LOT #	Landowner name(s) and address(es)

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

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

SIGNED:_____**DATE**: _____

SEAL:

APPLICANT'S SIGNATURE

I declare that the information I have provided on this form is true and correct and that I will comply with all applicable DMR laws and rules. I understand that, under Title 12 MRS §6306, my signature on this application authorizes Marine Patrol officers to inspect my license site. I understand that my license can be revoked if I provided false information in my application.

Signature of Applicant _____ Date 4/14/2021

Note: *When the applicant is a municipal shellfish management committee, the committee chair shall sign the application (C.2.90 (2) (D) (1)).*

Before submitting your application make sure you have <u>answered</u> <u>all questions</u> and <u>included all of the following documents</u>. *Failure to do so may result in significant delays in processing time.*

Required documents for all LPA applications.

☑ **Check** for application fee ($50 or $300) Payable to "Treasurer, State of Maine."

☑ **Vicinity map** with required items shown

☑ **Overhead view** depicting layout of the gear from overhead

☑ **Cross-section view** depicting gear & moorings from the side

Documents that are only required for sites that are within 300' from shorefront property (<u>measured from mean low water mark</u>). Applications for LPA sites in marina slips, lobster pounds, and similar sites are exempt from this requirement.

☑ **Tax map,** certified

☑ **Riparian list**, certified

☑ **Copies of receipts** for sending certified mail to riparian landowners