

EXPERIMENTAL LEASE APPLICATION

1. APPLICANT CONTACT INFORMATION

Applicant	Shearwater Ventures, LLC.	
Contact Person	Nathan Johnson	
Address	285 Fern Avenue	
City	Long Island	
State, Zip	Maine, 04050	
County	Cumberland	
Telephone	(207) 712-2927	
Email	shearwaterventures@gmail.com	
Payment Type	<input type="checkbox"/> Check (included)	<input checked="" type="checkbox"/> Credit Card

2. PROPOSED LEASE SITE INFORMATION

Location of Proposed Lease Site	
Town	Long Island
Waterbody	Casco Bay
General Description (e.g. south of B Island)	Northwest of Little Chebeague Island
Lease Information	
Total acreage (4-acre maximum) and lease term (3-year maximum) requested	3.86-acres, 3-year
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) <input type="checkbox"/> Net Pen (finfish)
Is any portion of the proposed lease site above mean low water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Note: If you selected yes, you need to complete the steps outlined in the section titled: “17. Landowner/Municipal Permission Requirements”.

3. GROWING AREA DESIGNATION

Directions: Information for growing area designations can be found here:

<https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>

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

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

4. GENERAL LEASE INFORMATION

A. Please complete the table below and add additional rows as needed.

Name of species to be cultivated <i>(include both common and scientific names):</i>	Name and address of the source of seed stock or juveniles	Maximum number (or biomass) of organisms you anticipate on the site at any given time
1. Sugar Kelp <i>(Saccharina latissima)</i>	Atlantic Sea Farms 20 Pomerleau Street Biddeford, Maine 04005	15,000 linear feet of seed lines (all species combined)
2. Skinny Kelp <i>(Saccharina angustissima)</i>	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	15,000 linear feet of seed lines (all species combined)
3. Winged Kelp (<i>Alaria esculenta</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	15,000 linear feet of seed lines (all species combined)
4. Horsetail / Fingered Kelp (<i>Laminaria digitata</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	15,000 linear feet of seed lines (all species combined)
5. Shotgun Kelp <i>(Agarum cribosum)</i>	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	15,000 linear feet of seed lines (all species combined)
6. Irish Moss (<i>Chondrus crispus</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	15,000 linear feet of seed lines (all species combined)
7. Dulse (<i>Palmaria palmata</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	15,000 linear feet of seed lines (all species combined)

8. Sea Lettuce (<i>Ulva lactuca</i>)	Atlantic Sea Farms 20 Pomerleau St. Biddeford, ME 04005	15,000 linear feet of seed lines (all species combined)
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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: You may embed the maps within the document, or attach the maps to the end of your application. If you attach the maps, please label them according to the instructions provided below. If you attach the map, please label it: '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 scalebar
- The approximate lease boundaries

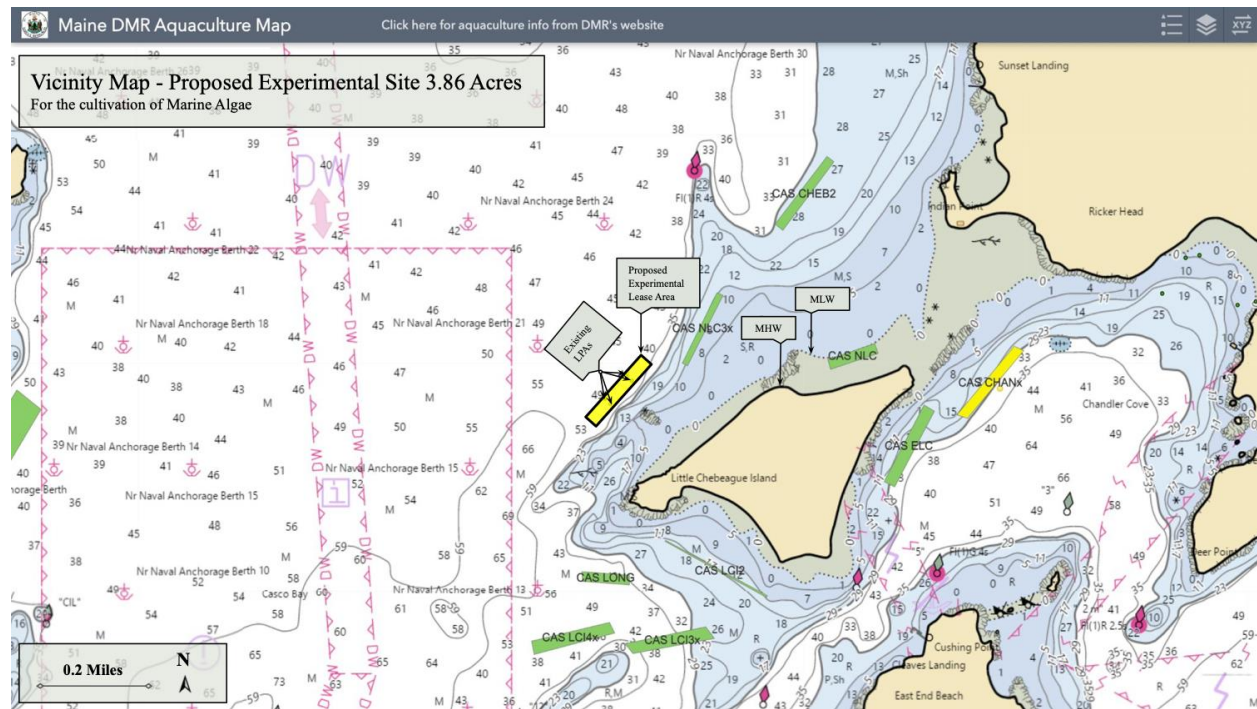


Figure 1. Vicinity Map - The proposed Experimental Lease is located northwest of Little Chebeague Island in Casco Bay and will encompass the existing LPAs (NJOH 120, NJOH 220, NJOH 320, NJOH 420) of the applicant.

6. BOUNDARY DRAWING

Note: If you attach a drawing, please label it ‘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.

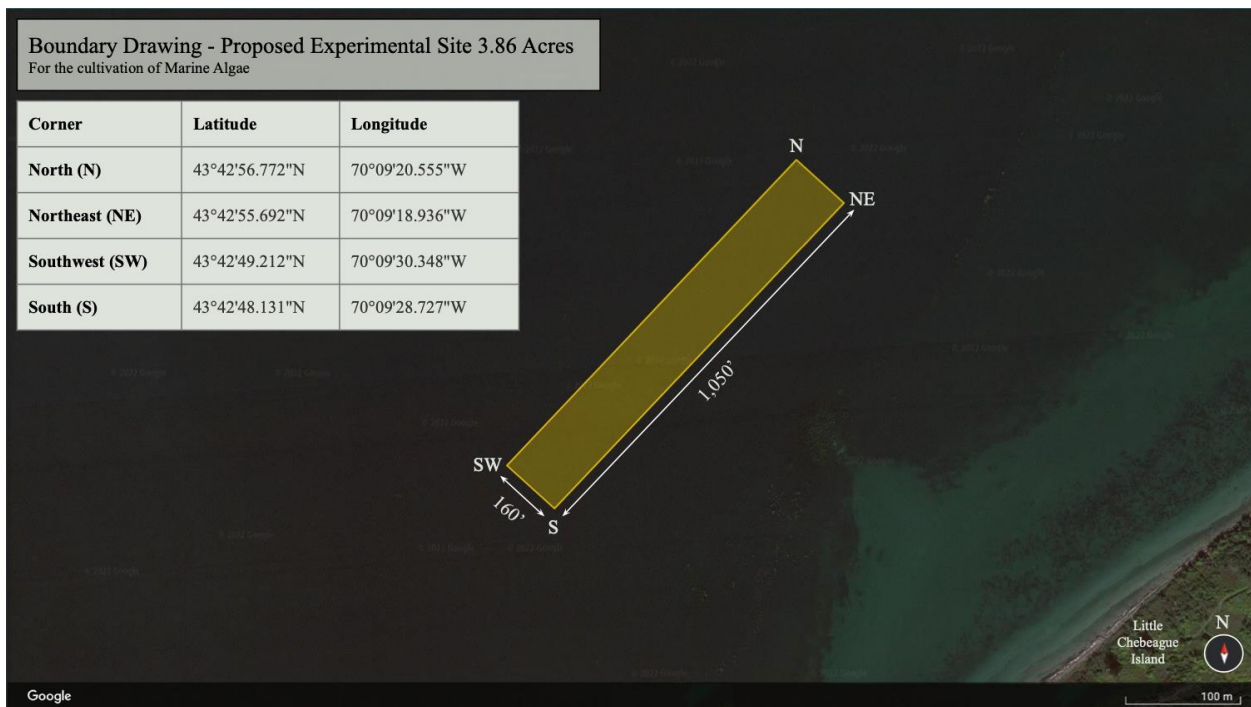


Figure 2. Boundary Drawing - The proposed Experimental Lease site is 1,050 feet in length and 160 feet in width. This footprint results in an area of 168,000 sq. ft or 3.86 acres. The location description was developed using NOAA chart number 13292 (datum coordinates WGS 1984) and Google Earth. The site is located northwest of Little Chebeague Island in Casco Bay. The proposed lease site is in subtidal waters. Longitude/latitude coordinates for the corners of the proposed lease area are from Google Earth. The internal coordinate system of Google Earth is geographic coordinates (latitude/longitude) on the World Geodetic System of 1984 (WGS84) datum.

7. RESEARCH PROGRAM AND OPERATIONS

Directions: If you are cultivating more than one species, you will need to provide the below information for each species. Please attach a separate page if needed.

A. Type of study (check one): Scientific Research Commercial Research

Please note:

a) Product grown on experimental leases for scientific research cannot be sold. Results of scientific research are not kept confidential.

b) Experimental leases for commercial research are not renewable. Results of commercial research are kept confidential.

B. What is the purpose of the study? If scientific, please include a detailed study design.

The purpose of this study is to determine the viability of a commercial-scale seaweed operation off the northwest of Little Chebeague Island.

C. Describe the general culture process for each species proposed.

Seed will be obtained in the fall between October and December. All marine algae species, according to availability and demand, will be seeded on 1,000 ft longlines spaced a minimum of 10 ft apart. Longlines will be suspended approximately 7 ft below the sea surface with dropper lobster-style buoys to maintain appropriate depth for optimal growth. The seed will remain on site throughout the winter growing season (November-March) and the site will be monitored for equipment issues, growth, and fouling until seaweed is ready for harvest in the spring (April-June). After harvest, all longlines and buoys will be removed from the site annually between June 16th - October 14th and stored on shore.

D. What months will the proposed activities (i.e. seeding, tending, and harvesting) occur?

Seeding will take place no earlier than October 15th and will be completed by early December.

The proposed lease site will be tended from December-April at least every two weeks, if weather permits, and after any major storms to ensure longlines are on station, the anchoring system is performing properly, and lines are not tangled.

Harvesting will take place between April and early June.

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

Seeding will require approximately 2-5 days on site and harvesting will require 10-15 days.

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

Inspection of the site will occur by boat every 1-2 weeks during the growing season (December-April) depending on weather conditions.

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

Longlines will be harvested using a lobster boat style vessel or custom barge mounted on pontoons. Culture lines will be hauled out of the water and seaweed will be harvested by hand into 1,000 lb bags.

H. 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 moved from the site.

Longlines, spreader lines, counterweights, and most mooring lines and balls will be removed during the off season (June 16th - October 14th) and stored at Johnson’s Boatyard on Long Island. Moorings/anchors, required lease markers, a center mooring ball on each lease end, and the spreader line end buoys will remain on site year round.

I. What type of machinery (e.g. generator, drag, grading equipment, etc.) will you be using on the site? When and how often will the machinery be used?

We do not plan to use any machinery on site.

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

Not applicable.

K. Suspended culture gear can attract birds that roost on the gear and defecate, potentially creating a pollution source impacting shellfish held within the gear. In order to comply with the National Shellfish Sanitation Program (NSSP) Model Ordinance (MO), DMR is requiring that applications for the suspended culture of shellfish include a description of mitigation or deterrent measures to minimize the potential pollution impacts of birds at the proposed site. If appropriate, include sketches or photos that clearly depict those measures put into practice.

Examples may include:

- Submerging suspended gear and associated product at a depth sufficient to deter roosting for two weeks before harvest
- Attaching physical deterrents (i.e. zip ties) to gear
- The site is proposed for the culture of seed only
- The site is proposed for the culture of adductor-only scallops (i.e. no other shellfish species would be grown on the site)
- Proposed gear would always be suspended below the surface of the water at a depth sufficient to deter roosting (i.e. as is common for scallop lantern nets)

Not applicable.

8. EXISTING USES

Directions: Describe the existing uses of the proposed area. Please include the amount of activity, the time of year the activity occurs, frequency, and proximity to the lease site.

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.
1. Commercial Fishing
Lobster gear occurs seasonally in the vicinity of the proposed site during the summer and early fall. Limited to no gear is present during the proposed time of kelp operation (October 15 - June 15). Discussions with local fishermen indicate no scallop dragging occurs at the location during the winter.
2. Recreational Fishing
Recreational fishing has not been observed at the proposed location and is not anticipated during the kelp season (October 15 - June 1). Recreational clamming occurs very infrequently at the beach on the northwest side of the island.
3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)
Most visitors to Little Chebeague Island access the island in the vicinity of the beach on the opposite side of the island from the proposed site. The proposed lease and gear are not anticipated to impede access to the island in any way.
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.)
The Maine Island Trail Association (MITA) maintains a network of paths on the island. During previous conversations, the MITA confirmed the growing season for the kelp farm (October to early June) is not likely to impact visitors to the island.
5. Other uses (kayaking, swimming, etc.)
These activities primarily occur during summer and early fall when operations at the site do not occur.

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 proposed lease.
No.

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

No.

D. Are there any Limited Purpose Aquaculture (LPA) licenses or aquaculture leases within 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>

LPAs within the proposed area are NJOH-120, NJOH-220, NJOH-320 and NJOH-420. There is one experimental lease site (CAS NLC3x) located approximately 410 feet to the northeast of the proposed site. CAS NLC3x was established after LPAs by the owner were present. The proposed experimental site will not interfere with operations at CAS NLC3x.

9. CURRENT OPERATIONS

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

A. Describe your existing aquaculture operations, including the acronyms of all active leases and/or licenses.

I installed, maintain, and operate Standard Lease CAS ELC, located to the east of Little Chebeague Island, and four LPAs (NJOH 120, 220, 320, 420), located in the footprint of the proposed lease.

B. What are your plans for any existing leases and/or Limited Purposed Aquaculture (LPA) licenses if the lease is granted? Will any existing leases and/or Limited Purpose Aquaculture (LPA) licenses be relinquished if the lease is granted? If so, please indicate which ones.

LPAs NJOH120, NJOH220, NJOH320, and NJOH420 would be replaced with this experimental lease application. Standard lease CAS ELC will continue to operate as usual.

10. 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.

I request that all vessel traffic and fishing activities be restricted from occurring within the boundaries of the lease from October 15 to June 15 annually to prevent a potential navigational safety hazard or to prevent gear from being damaged and becoming marine debris. Commercial and recreational fishing and boating activities would be permissible from June 16 to October 14 annually.

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?

38-48 ft

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

45-55 ft

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

Based on tide and wind generated velocities, the flood and ebb currents run northeast and southwest respectively at a maximum of 0.5-1 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.)?

The bottom in the proposed site area is composed primarily of mud.

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

The site's slope gently increases from the northeast side to the southwest side of the proposed lease boundary.

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?

Benthic organisms in the vicinity of the site are similar to common species in the area including lobster, crabs and snails. Fish, including mackerel, menhaden, and striped bass, occur commonly during the summer when longlines are not present.

4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.

The applicant is not aware of any shellfish beds or fish migration routes in the surrounding area.

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.

Based on data collected in 2018, the proposed lease is outside of the eelgrass zone and the nearest eelgrass coverage (40-70%) is approximately 200 feet from the site. Eelgrass beds are generally observed in shallow waters which allow for adequate light penetration to support photosynthesis. The proposed site is in a water depth between 38ft (MLW) and 55ft (MHW) which is not ideal habitat for eelgrass.

6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)

The proposed lease site is located northwest of Little Chebeague Island, a small undeveloped island with a gently sloping beach of sand on northwest shore between a sand and gravel headland to the northeast and rock headland to the southwest. A rock ledge is located approximately 300 to 500 ft (depending on tide) off the beach and submerged at high tide. The upland side of the beach rises rapidly and is covered with low vegetation giving way to trees. There is a bar (primarily sand with a few rocks) between Chebeague Island and Little Chebeague Island that is exposed at low tide. Visitors to the island typically access the island from the beach on the south side of the island.

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

Yes No

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

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

F. Will your operations discharge anything into the water such as feed (pellets, kelp, etc.) or chemical additives (therapeutants, chemical treatments, etc.)?

Yes No

Note: If you answered yes, you must submit a video of the bottom using a method prescribed by the Department. **The video must be filmed between April 1 and November 15.** If a discharge is proposed you will also need to obtain a Maine Department of Environmental Protection (DEP) discharge permit. For information on this permit please contact DEP’s Wastewater Licensing Program (Gregg.wood@maine.gov, 207-287-7693). Further sampling may be required by DMR, or DEP, depending on the characteristics of the site or the proposed activities.

12. STRUCTURES (*if applicable*)

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 an **Overhead View** and **Cross-Section View** of your gear plans. It is important to note that, unlike Limited Purpose Aquaculture (LPA) Licenses, experimental and standard leases require that all gear, including moorings, must be located within the proposed lease boundaries.

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

A) Overhead View (please label this “Overhead View”):

Directions: All dimensions need to be labeled with the appropriate units (i.e. 10ft, 10in)

- Show maximum layout of gear including moorings.
- Show dimensions of entire gear layout
- Show approximate spacing between gear.
- Show lease boundaries and the location of proposed markers on all drawings.

B) Cross-Section View (please label this “Cross Section View”):

Directions: The cross-section view must show the following:

- 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
- Water depth at mean high and mean low water

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).

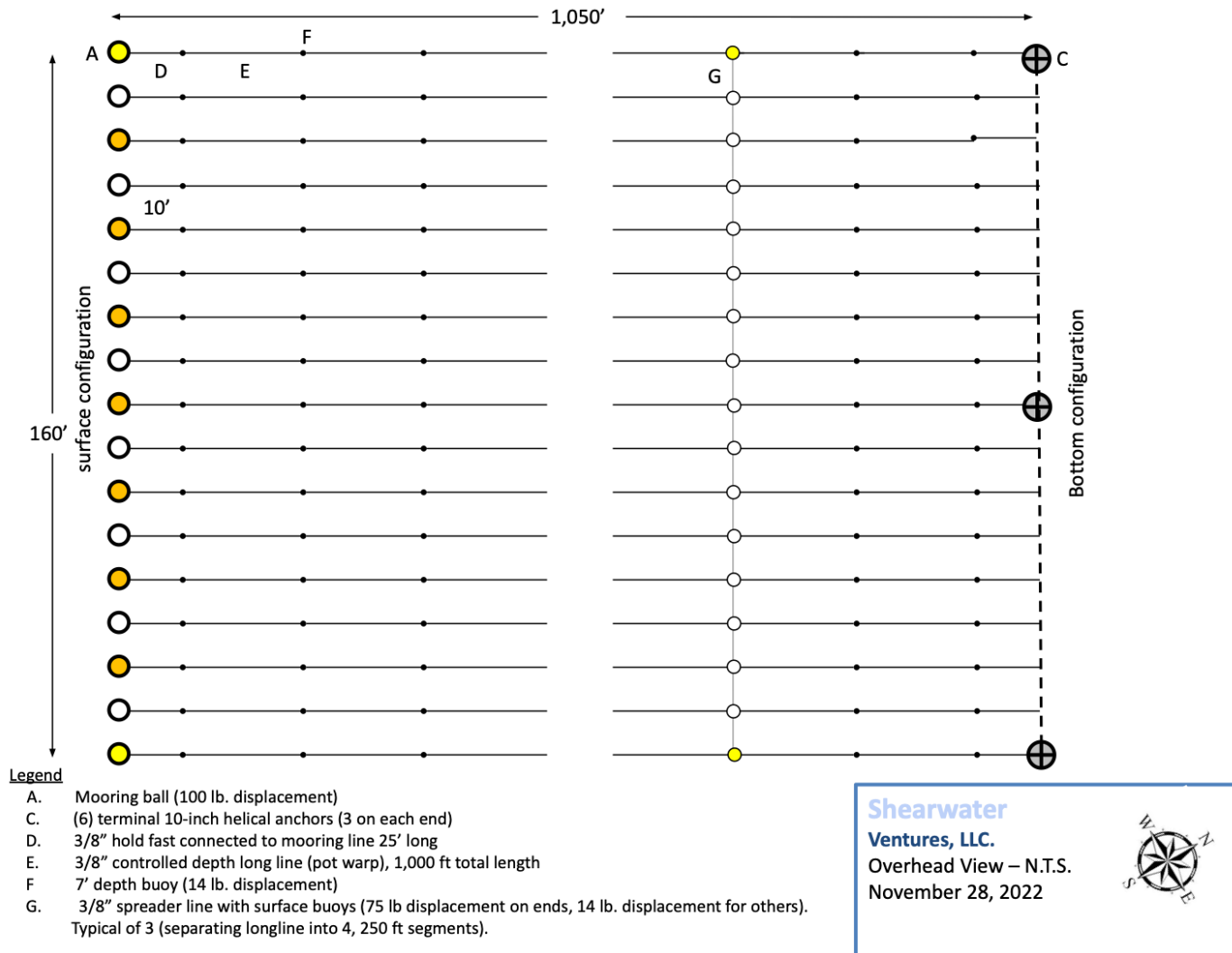
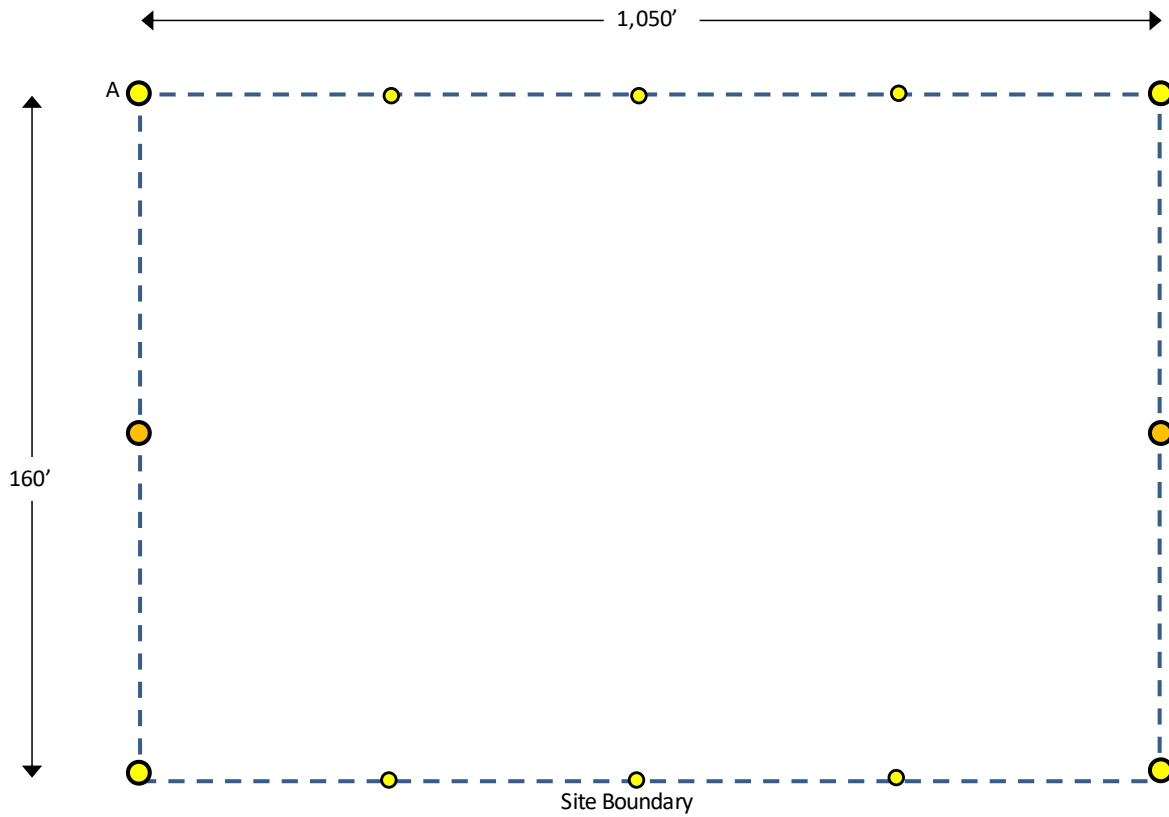


Figure 3. Overhead View During Growing Season (October 15 - June 1) - The above figure shows a subset of the surface and bottom configuration for the proposed lease. In practice there may be up to 351 fourteen-pound displacement buoys and three spreader lines present from October 15 to June 1.

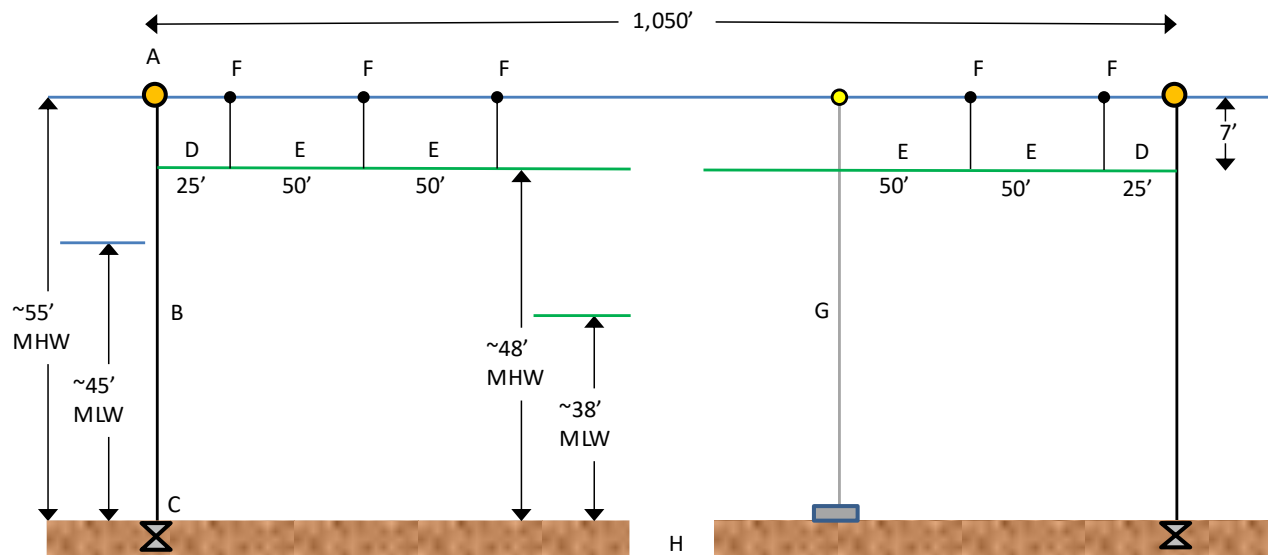


Legend

A. Mooring ball (100 lb. displacement)

Shearwater
 Ventures, LLC.
 Overhead View – Summer
 November 28, 2022

Figure 4. Overhead View During Summer Off-Season (June 2 - October 14).

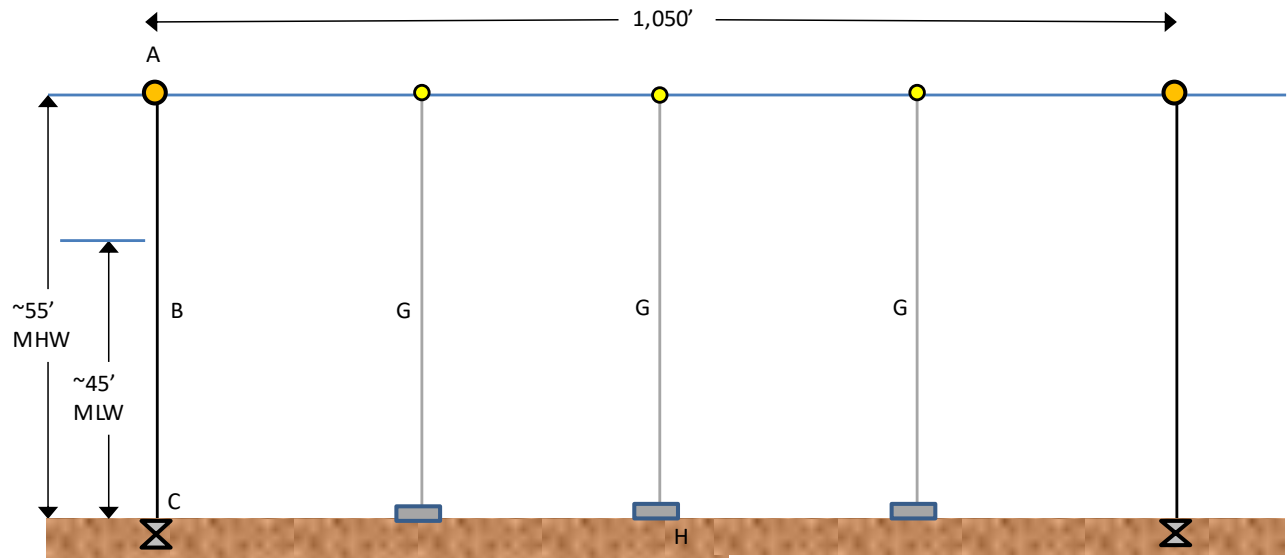


Legend

- A. Mooring ball (100 lb. displacement)
- B. 1" mooring line, approximately 55' long
- C. (6) terminal 10-inch helical anchors (3 on each end)
- D. 3/8" hold fast connected to mooring line 25' long
- E. 3/8" controlled depth long line (pot warp), 1,000 ft total length
- F. 7' depth buoy (14 lb. displacement)
- G. 3/4" mooring for end of spreader line with 2,000 lb gravity anchor. Typical of 3 spreader lines.
- H. Sea floor

Shearwater
 Ventures, LLC.
 Cross Section View – N.T.S.
 November 28, 2022

Figure 5. Cross-section Length View of the Proposed Farm During Growing Season (October 15 - June 1) - The above figure shows a subset of the cross-sectional view of the length of the proposed farm site. In practice there may be up to 21 fourteen pound displacement buoys and three spreader lines per longline present from October 15 to June 1.

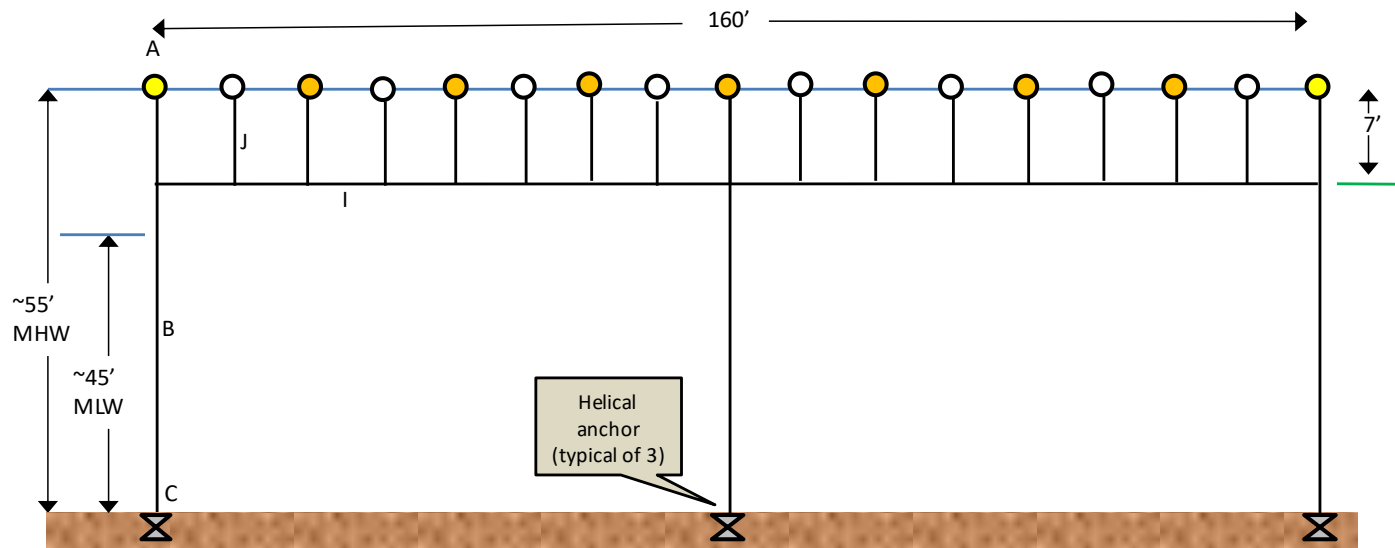


Legend

- A. Mooring ball (100 lb. displacement)
- B. 1" mooring line, approximately 55' long
- C. (6) terminal 10-inch helical anchors (3 on each end)
- G. 3/4 " mooring for end of spreader line with 2,000 lb gravity anchor. Typical of 3 spreader lines.
- H. Sea floor

Shearwater
 Ventures, LLC.
 Cross Section View – N.T.S.
 November 28, 2022

Figure 6. Cross-section Length View of the Proposed Farm During Summer Off-Season (June 2 - October 14).

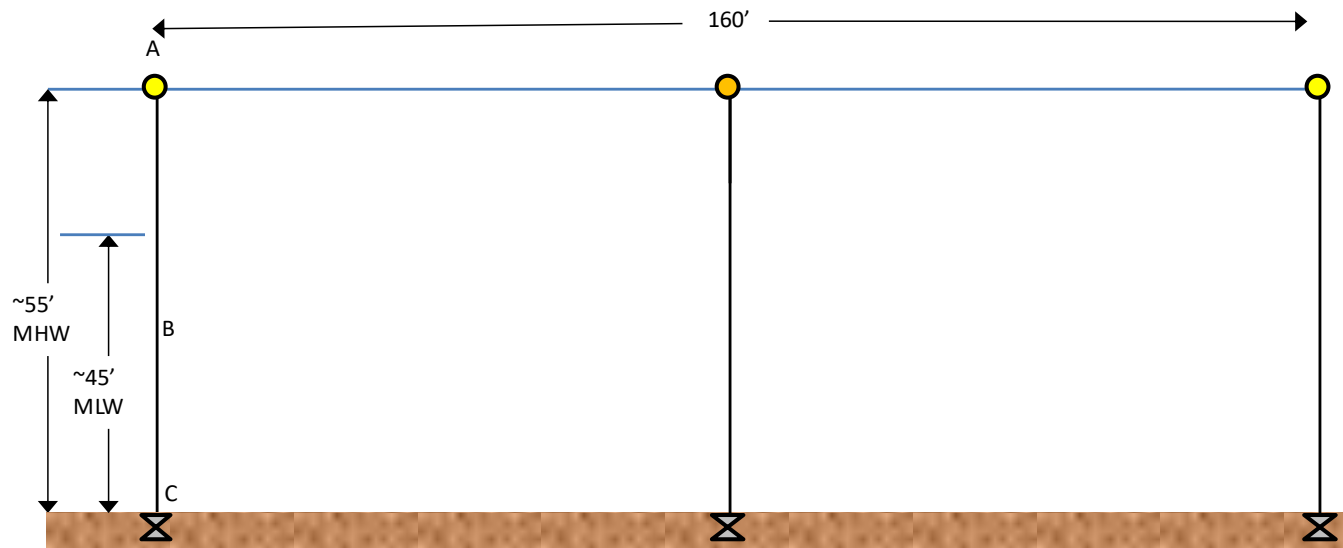


Legend

- A. Mooring ball (100 lb. displacement)
- B. 1" mooring line, approximately 55' long
- C. (6) terminal 10-inch helical anchors (3 on each end)
- H. Sea Floor
- I. 1" mooring header line
- J. 5/8" mooring line off header line (typical of 12 each end)

Shearwater
 Ventures, LLC.
 Cross Section (End View) – N.T.S.
 November 28, 2022

Figure 7. Cross-section End View of the Proposed Farm During Growing Season (October 15 - June 1).



Legend

- A. Mooring ball (100 lb. displacement)
- B. 1" mooring line, approximately 55' long
- C. (6) terminal 10-inch helical anchors (3 on each end)
- H. Sea Floor

Shearwater
 Ventures, LLC.
 Cross Section (End View) – N.T.S.
 November 28, 2022

Figure 8. Cross-section End View of the Proposed Farm During Summer Off-Season (June 2 - October 14).

C) Gear Description

Directions: List and describe each individual gear type that you will use in the table below.

Specific Gear Type <i>(e.g. soft mesh bag)</i>	Dimensions <i>(e.g. 16"x20"x2")</i>	Time of year gear will be deployed <i>(e.g. Spring, Winter, etc.)</i>	Maximum amount of this gear type that will be deployed on the site <i>(i.e. 200 cages, 100 lantern nets, etc.)</i>	Species that will be grown using this gear type
Mooring balls (including required corner lease markers)	20.5" x 27"	<u>Seasonal:</u> 34 mooring balls deployed October 15 - June 1 <u>Year-round:</u> 6 mooring balls deployed June 2 - October 14 (corners of lease and middle of lease ends)	34	Marine algae
Mooring lines attached to helical anchors	~55' of 1" line	Year-round	6	Marine algae
Helical anchors	1 ¼" x 10" x 96"	Year-round	6	Marine algae
Hold fast line	25' f ¾" pot warp	Seasonal: October 15 - June 1	34 (2 per longline)	Marine algae
Long lines	1000' of ¾" pot warp	Seasonal: October 15 - June 1	17	Marine algae
14-lb Displacement buoys (for depth control lines & spreader lines)	7" x 14"	Seasonal: October 15 - June 1	Depth control line buoys: 306 (up to 18 per long line) Spreader line buoys: 45 (up to 15 per spreader line)	Marine algae
Depth control line	~7' of ¾" pot warp	Seasonal: October 15 - June 1	306 (up to 18 per long line)	Marine algae
Counterweight (for depth control lines)	~ 8-10 lbs; 8" x 4" x 8"	Seasonal: October 15 - June 1	306 (up to 18 per long line)	Marine algae

Mooring line for spreaders	~55' of 3/4" line	Year-round	6	Marine algae
Spreader line	160' of 3/8" pot warp	Seasonal: October 15 - June 1	3	Marine algae
Spreader line end buoys (75-lb displacement)	23" x 17"	Year-round	6	Marine algae
Gravity anchors	2,000 lb	Year-round	6	Marine Algae

D) Gear Drawing (please label this “Gear Drawing”).

Directions: Include a drawing of an individual piece of gear for each of the gear type(s) you plan to use. The drawing(s) needs to depict the length, width, and height of each gear type with appropriate units referenced (i.e. 10in, 10ft, etc.).

 <p>Mooring Balls:</p> <ul style="list-style-type: none"> Includes required yellow corner lease markers A4 Polyball: 20.5" x 27" 	 <p>Mooring Lines:</p> <ul style="list-style-type: none"> Attached to helical anchors: ~55' of 1" line Attached to spreaders: 55' of 3/4" line 	 <p>Helical Anchors:</p> <ul style="list-style-type: none"> 1 1/4" x 10" x 96"
 <p>Hold Fast Lines, Long Lines, Spreader Lines, Depth Control Lines</p> <ul style="list-style-type: none"> Hold fast lines: 25' of 3/8" pot warp Long lines: 1000' of 3/4" pot warp Spreader lines: 160' of 3/8" pot warp Depth control lines: ~7' of 3/8" pot warp 	 <p>14-lb Displacement Buoys:</p> <ul style="list-style-type: none"> 7" x 14" 	 <p>Counterweight: Weight for depth control device 8" x 4" x 8"</p>
 <p>Spreader Line End Buoys:</p> <ul style="list-style-type: none"> 75-lb displacement A3 Polyball: 17" x 23" 		 <p>Gravity Anchors:</p> <ul style="list-style-type: none"> 2000-lbs

Figure 9. Gear Drawing.

13. MARKING

Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80? In part, this requires marker buoys which clearly display the lease ID and the words SEA FARM to be located at each corner of the lease. Effective January 1, 2023, marker buoys must be yellow and host reflective material.

Yes 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.

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

Figure 10. Tax Map: Town of Long Island - Depicts property owners that lay within 1,000 ft of lease area (Long Island tax map layer). The proposed lease site is located Northwest of Little Chebeague Island, a small undeveloped island, located in Cumberland County, Maine (Figure 6). The island is owned by the Maine State Bureau of Parks and Lands (BPL) and co-managed with the Maine Island Trail Association. There are no riparian owners, other than BPL within 1,000 feet of the proposed lease site. The Town of Long Island maintains parcels information on its website and available for download as a .kmz file (http://townoflongisland.us/wp/?page_id=150).

2. Please use the Riparian Landowner List (included on the next page) to list the name and address of every shorefront landowner within 1,000ft of the proposed lease site. Have the tax collector or clerk of the municipality certify the list. Refer to the riparian determination guidance document to ensure all riparian landowners are included:

<https://www.maine.gov/dmr/aquaculture/forms/documents/RiparianDetermination.pdf>

Note: When the application and riparian list are both ready to be submitted, you may choose to email a copy of the riparian list and proposed lease coordinates to DMRAquaculture@maine.gov for staff to verify that all required parcels are included on the list *before* having it certified by the municipality. DMR will not verify a riparian list multiple times, so please ensure there will be no additional changes to the application before emailing the riparian list for verification.

3.If any portion of the site is intertidal you need to complete the steps outlined in “17. 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 “17. Landowner/Municipal Permission Requirements” of this application.

C. How will you access the proposed site?

Via custom barge, skiff, or lobster-style boat from Long Island.

RIPARIAN LANDOWNER LIST

THIS LIST MUST BE **CERTIFIED** BY THE TOWN CLERK

On this list, please include the map number, lot number, and the current owners' names and mailing addresses for all shorefront parcels within 1,000 feet of the lease site. 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 riparian parcels are located within more than one municipality, provide a separate, tax map and certified riparian list for each municipality.

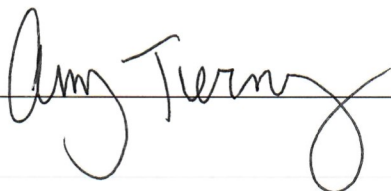
TOWN OF: Long Island

MAP #	LOT #	Landowner name(s) and address(es)
010	0	Maine State Bureau of Parks and Land (BPL): Maine BPL 22 State House Station 18 Elkins Lane Augusta, ME 04333

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Amy Tierney, Town Clerk for the Town of Long Island 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: 12/21/22

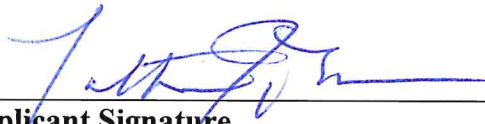
15. ESCROW ACCOUNT OR PERFORMANCE BOND

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	None
<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 feet of structure.

I, (*printed name of applicant*), Nathan Johnson, have read DMR Aquaculture Regulations 2.64(12)(B) and if this proposed lease is granted by DMR I will either open an escrow account or obtain a performance bond, depending on the category of lease.



Applicant Signature

12/20/2022

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*) _____ have read DMR Aquaculture Regulations 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, depending on the category of lease.

Applicant Signature

Date


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

16. 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 experimental lease process.

Printed name: Nathan Johnson

Title (*if corporate applicant*): Founder & Manager

Signature:  _____ Date: 12/22/2022

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 (i.e. President, Treasurer, etc.) of the individual(s) signing on the company's behalf.

17. LANDOWNER/MUNICIPAL PERMISSION REQUIREMENTS *(if applicable)*

PART I: The use of private property to access your site.

Pursuant to 2.64(C)(6) if you are using private property to access the proposed lease site, you need to submit written permission from the property owner with your application. It is your responsibility to obtain written permission. Please note that the Department does not provide forms for landowner or municipal permission. **If any portion of your site is also intertidal you will need to complete the steps outlined in Part II, below.**

PART II: If any portion of the site is intertidal you need to complete the following steps:

Step I: Obtain written permission from all intertidal landowners.

Pursuant to 2.64(C)(6) the Department requires *written permission of every owner of intertidal land in, on, or over which the experimental 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.

1. 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.



MAINE DEPARTMENT OF MARINE RESOURCES

Aquaculture Division, 21 State House Station, Augusta, ME 04333-0021 (207) 624-6567

CORPORATE APPLICANT FORM **For Standard and Experimental Aquaculture Lease Applications**

Corporations or partnerships that apply for aquaculture leases in the State of Maine must complete this form. Corporations must submit information as requested under A. Corporate Applicant. Partnerships must submit information as requested under B. Partnership Applicant.

A. Corporate Applicant

Note: You must attach a copy of the Articles of Incorporation (Inc.) or Certificate of Formation (LLC) to your application.

1. Name of Corporation: Shearwater Ventures, LLC.
2. Date of incorporation: 10/08/2015 State of incorporation: Maine
3. List the names, addresses, and titles of all officers:

Name	Address	Title
Nathan Johnson	285 Fern Avenue, Long Island, ME 04050	Founder & Manager

Please use additional sheets if necessary and attach to the application.

4. List the names and addresses of all directors/members:

Name	Address
Nathan Johnson	285 Fern Avenue, Long Island, ME 04050

Please use additional sheets if necessary and attach to the application.

5. Has the corporation, or any stockholder, director, or officer applied for an aquaculture lease for Maine lands in the past? Yes No

If you selected “yes,” please indicate who applied for the lease and the status of the application or lease. Shearwater Ventures, LLC holds the Standard Lease CAS-ELC and LPAs NJOH-120, NJOH-220, NJOH-320 and NJOH-420. All are in good standing.

6. List the names and addresses of all stockholders who own or control at least 5% of the outstanding stock and the percentage of outstanding stock currently owned or controlled by each stockholder.

Name	Address	Percentage of Owned Stock
Nathan Johnson	285 Fern Avenue, Long Island, ME 04050	100%

Please use additional sheets if necessary and attach to the application.

7. List the names and addresses of stockholders, directors, or officers owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person based on the percentage of owned stock listed in question 6. If none, write, “None.”

Name	Address	Lease Acronym	Acreage
Nathan Johnson	285 Fern Avenue, Long Island, ME 04050	CAS-ELC	3.84
Nathan Johnson	285 Fern Avenue, Long Island, ME 04050	NJOH-120	0.0092
Nathan Johnson	285 Fern Avenue, Long Island, ME 04050	NJOH-220	0.0092
Nathan Johnson	285 Fern Avenue, Long Island, ME 04050	NJOH-320	0.0092
Nathan Johnson	285 Fern Avenue, Long Island, ME 04050	NJOH-420	0.0092

Please use additional sheets if necessary and attach to the application.

8. Has the corporation or any officer, director, member, or shareholder listed in item 5 above ever been arrested, indicted, convicted of, or adjudicated to be responsible for any violation of any marine resources or environmental protection law, whether state or federal?

Yes No

If you selected “yes”, please provide details.

B. Partnership Applicant

Note: You must attach a copy of either the Certificate of Limited Partnership or documentation of the formation of a General Partnership to your application.

1. Name of Partnership: _____

2. Date of formation: _____ State of partnership: _____

3. List the names, addresses, and ownership shares of all partners:

Name	Address	Ownership Shares
N/A		

Please use additional sheets if necessary and attach to the application.

4. Has the partnership, or any partner applied for an aquaculture lease for Maine lands in the past? Yes No

If you selected “yes,” please indicate who applied for the lease and the status of the application or lease.

5. List the names and addresses of any partner owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person, based on their ownership shares from question 3.

Name	Address	Lease Acronym	Acreage
N/A			

Please use additional sheets if necessary and attach to the application.

6. Has the partnership or any partner been arrested, indicted or convicted of or adjudicated to be responsible for any violation of marine resources or environmental protection law, whether State or Federal?

Yes No

If you selected "yes", please provide details.

MAINE
LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF FORMATION

Filing Fee \$175.00

File No. 20161621DC Pages 3
Fee Paid \$ 175
DCN. 2152892300053 DLLC
-----FILED-----
10/13/2015


Deputy Secretary of State

A True Copy When Attested By Signature


Deputy Secretary of State

Pursuant to 31 MRSA §1531, the undersigned executes and delivers the following Certificate of Formation:

FIRST: The name of the limited liability company is:

Shearwater Ventures, LLC

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "L.L.C.," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "l3c" - see 31 MRSA 1508.)

SECOND: Filing Date: (select one)

- Date of this filing; or
 Later effective date (specified here): _____

THIRD: Designation as a low profit LLC (Check only if applicable):

- This is a low-profit limited liability company pursuant to 31 MRSA §1611 meeting all qualifications set forth here:
- A. The company intends to qualify as a low-profit limited liability company;
 - B. The company must at all times significantly further the accomplishment of one or more of the charitable or educational purposes within the meaning of Section 170(c)(2)(B) of the Internal Revenue Code of 1986, as it may be amended, revised or succeeded, and must list the specific charitable or educational purposes the company will further;
 - C. No significant purpose of the company is the production of income or the appreciation of property. The fact that a person produces significant income or capital appreciation is not, in the absence of other factors, conclusive evidence of a significant purpose involving the production of income or the appreciation of property; and
 - D. No purpose of the company is to accomplish one or more political or legislative purpose within the meaning of Section 170(c)(2)(D) of the Internal Revenue Code of 1986, or its successor.

FOURTH: Designation as a professional LLC (Check only if applicable):

- This is a professional limited liability company* formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services:

(Type of professional services)

FIFTH: The Registered Agent is a: (select either a Commercial or Noncommercial Registered Agent)

Commercial Registered Agent CRA Public Number: P10267

Michael L. Sheehan
(Name of commercial registered agent)

Noncommercial Registered Agent

(Name of noncommercial registered agent)

(physical location, not P.O. Box – street, city, state and zip code)

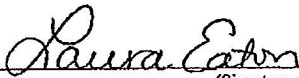
(mailing address if different from above)

SIXTH: Pursuant to 5 MRSA §105.2, the registered agent listed above has consented to serve as the registered agent for this limited liability company.

SEVENTH: Other matters the members determine to include are set forth in the attached Exhibit A, and made a part hereof.

****Authorized person(s)**

Dated 10/8/2015


(Signature of authorized person)

Laura Eaton, authorized person
(Type or print name of authorized person)

(Signature of authorized person)

(Type or print name of authorized person)

*Examples of professional service limited liability companies are accountants, attorneys, chiropractors, dentists, registered nurses and veterinarians. (This is not an inclusive list – see 13 MRSA §723.7)

Pursuant to 31 MRSA §1676.1.A, Certificate of Formation **MUST be signed by at least one authorized person.

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453.

Please remit your payment made payable to the Maine Secretary of State.

Submit completed form to: Secretary of State
Division of Corporations, UCC and Commissions
101 State House Station
Augusta, ME 04333-0101
Telephone Inquiries: (207) 624-7752 Email Inquiries: CEC.Corporations@Maine.gov

EXHIBIT A
to
CERTIFICATE OF FORMATION
of
Shearwater Ventures, LLC

Pursuant to 31 M.R.S. §1542.1, except as may be limited in the Operating Agreement in effect from time to time for Shearwater Ventures, LLC (the "Company"), the Manager(s), of the Company, acting singly, have authority to enter into transactions on behalf of the Company, or otherwise act for or bind the Company.

ACTION IN WRITING
UNDER
MAINE LIMITED LIABILITY COMPANY ACT

IN LIEU OF INITIAL MEETING OF THE SOLE MEMBER AND MANAGER
OF

SHEARWATER VENTURES, LLC

WHEREAS, the undersigned constitutes the sole Member and Manager of Shearwater Ventures, LLC (the "Company"); and

WHEREAS, the undersigned desires by this writing, filed with the minutes of the proceedings of the Company, to take various actions and to do so in lieu of holding a meeting of the Members and Managers; and

NOW, THEREFORE, the following are hereby adopted as actions taken by the Company:

VOTED: That all actions of Laura Eaton in executing and filing a Certificate of Formation with the State of Maine on behalf of the Company be, and are hereby, ratified and affirmed.

VOTED: That the Operating Agreement attached hereto as **Exhibit A** is hereby adopted by the Members.

VOTED: That the Managers and the person named as Registered Agent of the Company, each acting singly, are hereby authorized to execute and file, on the Company's behalf, the Annual Reports with the Maine Secretary of State's Office as required by Maine law.

VOTED: (1) That this Company establish such bank accounts with any one or more banks or trust companies (the "Bank") within the State of Maine or elsewhere for and in the name of this Company and that funds of this Company deposited in said Bank in the name of this Company shall be subject to withdrawal by said Company upon the personal signature of any of the following, in a form acceptable to the bank, to wit:

<u>Name</u>	<u>Official Capacity</u>
-------------	--------------------------

Nathan E. Johnson	Manager
--------------------------	----------------

(2) That said Bank be furnished with specimens of the signatures of the above named Officers and said Bank is hereby authorized to pay any such instruments so signed, even if drawn to the individual order of the person

signing the same on behalf of the Company.

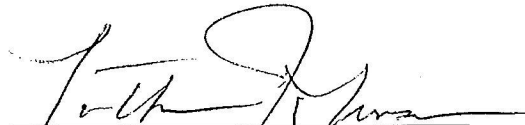
(3) That checks, drafts, bills of exchange, withdrawal instruments, and orders payable to said Company may be endorsed for collection or deposit for the Company by or under the direction of any of the foregoing officers and that a rubber stamp may be used for such purpose.

(4) That all of the foregoing authorities shall be and continue in full force and effect until revoked or modified by written notice actually received by said Bank setting forth a resolution to that effect and signed in the same manner as this authority is signed.

VOTED: That this consent may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which together shall constitute one and the same document;

VOTED: That this consent may be executed by facsimile signature and a facsimile signature shall constitute an original signature for all purposes.

IN WITNESS WHEREOF, the undersigned have subscribed their names as of this 9 day of October, 2015.


Nathan E. Johnson
Sole Member and Manager

Shearwater Ventures, LLC

SCHEDULE B

to

LLC AGREEMENT

Manager

Nathan E. Johnson

Address

285 Fern Avenue,
Long Island, Maine 04050