

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

Applicant	Jason Joyce and Joshua Joyce		
Contact Person	Jason Joyce		
Address	20 Grindle Road		
City	Swan's Island		
State, Zip	ME, 04865		
County	Hancock		
Telephone	207-479-6490		
Email	swansislandcharters@gmail.com		
Type of Application	<input checked="" type="checkbox"/> Draft Application [submitted before scoping session session]		<input type="checkbox"/> Final Application [submitted after scoping session]
Dates	Pre-Application Meeting: July 1, 2022	Draft Application Submitted:	Scoping Session:
Payment Type	Draft Application: <input 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	Swan's Island
Waterbody	Burnt Coat Harbor
General Description (e.g. south of B Island)	Mill Pond
Lease Information	
Total acreage requested (100-acre maximum)	9.95 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".

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):	EE
Growing Area Section (e.g. "A1"):	R1 (Restricted)

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. Eastern Oyster (Crassostrea virginica)	Muscongus Bay Aquaculture 24 Seal Ledge Land Bremen, ME 04551	2,000,000 oysters
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

See Exhibit 1.

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.

See Exhibit 2.

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.

See Exhibit 3.

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. <i>soft mesh bag</i>)	Dimensions (e.g. <i>16"x20"x2"</i>)	Time of year gear will be deployed (e.g. <i>Spring, Winter, etc.</i>)	Maximum amount of this gear type that will be deployed on the site (i.e. <i>200 cages, 100 lantern nets, etc.</i>)	Species that will be grown using this gear type
Soft Mesh Bags	35" x 20" x 4"	April 1 – November 30	~5,900 bags	Oyster
Removeable Posts	4-5' long, 1.5" diameter	April 1 – November 30	~1,600 posts	Oyster
Post Holder	4-5' long, 1.5" diameter	Year Round	~1,600 post holders	Oyster
Helix Anchors	5' long	Year Round	166 5' helix (2 per line)	Oyster
Helix Anchors	2.5' long	Year Round	~3,200 2.5' helix	Oyster

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.

See Exhibit 4.

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).

See Exhibits 5 & 6

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.

No onsite support structures would be used.

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.
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No oil, gas, or other hazardous materials would be stored on site.
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D. Gear Color

Provide the color of the gear and structures proposed to be used at the lease site.
The soft mesh bags are black in color, and posts would be dark gray. Yellow marker buoys would be used at the corners, per DMR marking requirements.

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.

See Exhibit 7

F. Marking

Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80? In part, this requires marker buoys which clearly display the lease ID and the words SEA FARM to be located at each corner of the lease. Effective January 1, 2023, marker buoys need to be yellow and host reflective material. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If you answered no, explain why and suggest alternate markings.

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

8. PRODUCTION ACTIVITIES

Directions: If you are cultivating more than one species, you will need to provide the following information for each species. Please attach additional pages if needed.

A. Please explain your proposed seeding activities. What months will seeding occur and how often will you be onsite to seed during this time.

The lease would be stocked with oysters in the months of April and May. We use our eight LPA licenses (JJOY117, 217, 318, 418, and JOJO117, 217, 318, 418) located in a nearby lobster pound to culture our smallest seed and to overwinter our oysters. In the months of April and May we would move oysters from these LPAs to this proposed lease. We would be on site 10 to 15 times during the seeding period, for no more than 4 hours at a time.

B. Please explain your proposed tending/maintenance activities.

Our lease would require very little routine maintenance because the gear design naturally flips the bags and tumbles the oysters twice each tide, and any fouling growth on the bags is killed off by the sun. We plan to check on the gear visually (either from land or from the water) multiple times a week, and fix any issues that arise as needed.

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

We would be on site tending to the gear a few times a month.

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

Oysters will not be harvested to market from this site, as the water quality is classified as restricted. We would move oysters from this lease to our LPA sites (JJOY117, 217, 318, 418, and JOJO117, 217, 318, 418), which are located in an area classified as open for shellfish harvest, in November. Oysters would be moved by loading the soft mesh bags containing oysters from the lease site to the lobster pound, where they would be placed in oyster condos. Oysters will spend the required amount of time at these LPAs before they are harvested. In the spring, oysters with shell lengths of 2 ½” are not returned to the Mill Pond for another growing season, but instead remain on the LPAs to be sold.

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

Although we will not harvest oysters from this lease for market, we will remove all the oysters from the site in November. These oysters will be moved to LPAs (JJOY117, 217, 318, 418, and JOJO117, 217, 318, 418) for overwintering. We would be onsite 4 – 5 days, for up to 4 hours each day, to remove gear and oysters from the site.

F. Will gear be on the site year-round? Yes No

NOTE: Only helix anchors and the post stand would remain on site throughout the year.

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.

Gear would be removed from the site each November. Gear will be stored at our dock, or on other properties we own, throughout the winter. Oysters will be overwintered at our LPAs in the lobster pound (JJOY117, 217, 318, 418, and JOJO117, 217, 318, 418).

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

So far we have not had an issue with predators, so we have no plans for predator controls.

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

Examples may include:

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

Oysters will not be harvested directly from this site to market. Instead, all product would be harvested to market from the LPA licenses we hold. We have not seen birds roosting on our gear during the term of our experimental lease. If we do notice birds roosting, we will use wire ties/zip ties to deter them from roosting.

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?

Two Carolina skiffs would be used on site, with maximum lengths of 20’ and maximum engine size of 50 hp. Vessels will be on site 20-30 times a season, and will remain onsite for no longer than 4 hours at a time.

B. What type of powered equipment (e.g. generator, power washer, grading equipment, barges, etc.) will be used on the site? When and how often will the equipment be used?

No machinery other than the boats listed above will be used on site.

We do own tumbling equipment, but this activity would occur only at the lobster pound, and never on the lease site.

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

We would reduce the noise level from the boats used on the lease by powering our skiffs with 4-stroke engines.

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.

No lights would be used on site, other than headlamps/flashlights at night in emergency situations.

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

Work on the site beyond daylight hours would only occur in emergency situations.

10. CURRENT OPERATIONS

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

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

We currently have one experimental lease (SWAN MPx) and eight LPA licenses (JOJO117, JOJO217, JOJO318, JOJO418, JJOY117, JJOY217, JJOY318, and JJOY418), all of which are used to grow oysters. This standard lease would replace our experimental lease SWAN MPx.

Our LPAs are used for seed culture, for over wintering oysters, and for holding oysters prior to market harvest. Our experimental lease is currently used for summer grow out of oysters.

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.

The experimental lease (SWAN MPx) would be replaced by this standard lease, and the eight LPA licenses would remain active.

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?

0 – 3 feet

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

9-13 feet

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

1-2 knot ebb and 1-2 knot flood. The current in the mill pond runs in a circular pattern.

<p>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.</p>
<p>1. What are the bottom characteristics (mud, sand, gravel, rock, ledge or some mix, etc.)?</p>
<p>The bottom of the lease area is made primarily of mud.</p>
<p>2. Describe the bottom topography (flat, steep rough, etc.).</p>
<p>There is a little bit of a dip in a few spots, but the proposed lease area is mostly flat.</p>
<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>Seaweed is common on ledges and boulders outside of the site. There are a few periwinkles and barnacles, and the occasional green crab. These organisms are rare within the proposed lease site. There are some old mussel shells, but live mussels are rare in the area.</p>
<p>4. Are there shellfish beds or fish migration routes in the surrounding area? If so, please describe.</p>
<p>There was a small historical mussel bed in the area but live mussels are rare now. We are not aware of other shellfish beds or fish migration routes.</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>We have not seen any live eelgrass in the mill pond since we began farming in the area three years ago.</p>

6. Describe the general shoreline and upland characteristics (rocky shoreline, forested, residential, etc.)
There are rocky, flat ledges, and occasional spruce trees with the occasional gravel patch.

E. Is your proposed lease located within a Maine Department of Inland Fisheries and Wildlife designated Essential Habitat?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.

12. EXISTING USES

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
We have not observed commercial fishing in the mill pond.
2. Recreational Fishing
We have not observed recreational fishing in the mill pond.

3. Boating Activities (please also include the distance to any navigable channel(s) from your proposed site at low water)
There is a very minor amount of kayaking in the area in the summer months. There is a navigable channel within a ½ mile of the site outside of the mill pond. There is also a dock that collapsed, and is no longer used, within 240' of the site. It is extremely rare to see a powerboat in the mill pond because it is shallow and rocky.
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.)
People do not typically access their shorefront property from the mill pond because at high tide the cove is shallow and rocky and at low tide it has extensive mud flats. Some property owners within 1,000 feet of the proposal are located outside of the mill pond, and have docks along the shoreline of Burnt Coat Harbor.
5. Other uses (kayaking, swimming, etc.)
There is minimal swimming in the area, we have never seen swimming the mill pond. Kayaking is rare in the mill pond.

B. Are there private docks, moorings, or other access points within 1,000 feet of the proposed lease? If yes, please include approximate distance from the proposed lease.
Yes. There is one mooring used minimally during severe storms to hold a float that is only there for the duration of the storm. There is also the Mill Pond Park Public Access point within 240' of the site, and a collapsed wharf within 240' of the site.

C. Are there public beaches, parks, docking facilities or federally, state, or municipally conserved lands within 1,000 feet of the proposed lease site? If yes, please describe and include approximate distances from proposed lease.
Yes, Mill Pond Park Public Access is within 240' of the site, and is used mostly for landing kayaks, and not as a beach area for swimming.

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>

Yes, we hold an experimental lease within the boundaries of this proposed lease (SWAN MPx). This proposed lease would replace SWAN MPx. There are also two LPA licenses about 1,200 feet south which are held by Timothy Trafton (TTRA119 and TTRA219).

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.

None.

14. RIPARIAN LANDOWNERS AND SITE ACCESS

A. If your lease is within 1,000ft of shorefront land (**which extends to mean low water or 1,650 ft. from shore, whichever is less, according to NOAA charts**), the following supporting documents are required:

1. A labeled copy of a tax map(s) depicting the location of the proposed lease site and including the following elements:
 - Label the map “Tax Map: Town of (name of town).”
 - Legible scale
 - Tax lot numbers clearly displayed
 - The boundaries of the proposed lease
2. Please use the Riparian Landowner List (included on the next page) to list the name and address of every shorefront landowner within 1,000ft of the proposed lease site. Have the tax collector or clerk of the municipality certify the list. Refer to the riparian determination guidance document to ensure all riparian landowners are included:
<https://www.maine.gov/dmr/aquaculture/forms/documents/RiparianDetermination.pdf>

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

3. If any portion of the site is intertidal, you need to complete the steps outlined in the section titled: “19. Landowner/Municipal Permission Requirements”.

B. Will your access to the lease area be across riparian land?

Yes No

Note: If you selected yes, you will need to complete the landowner permission requirements included in “19. Landowner/Municipal Permission Requirements” of this application.

C. How will you access the proposed site?

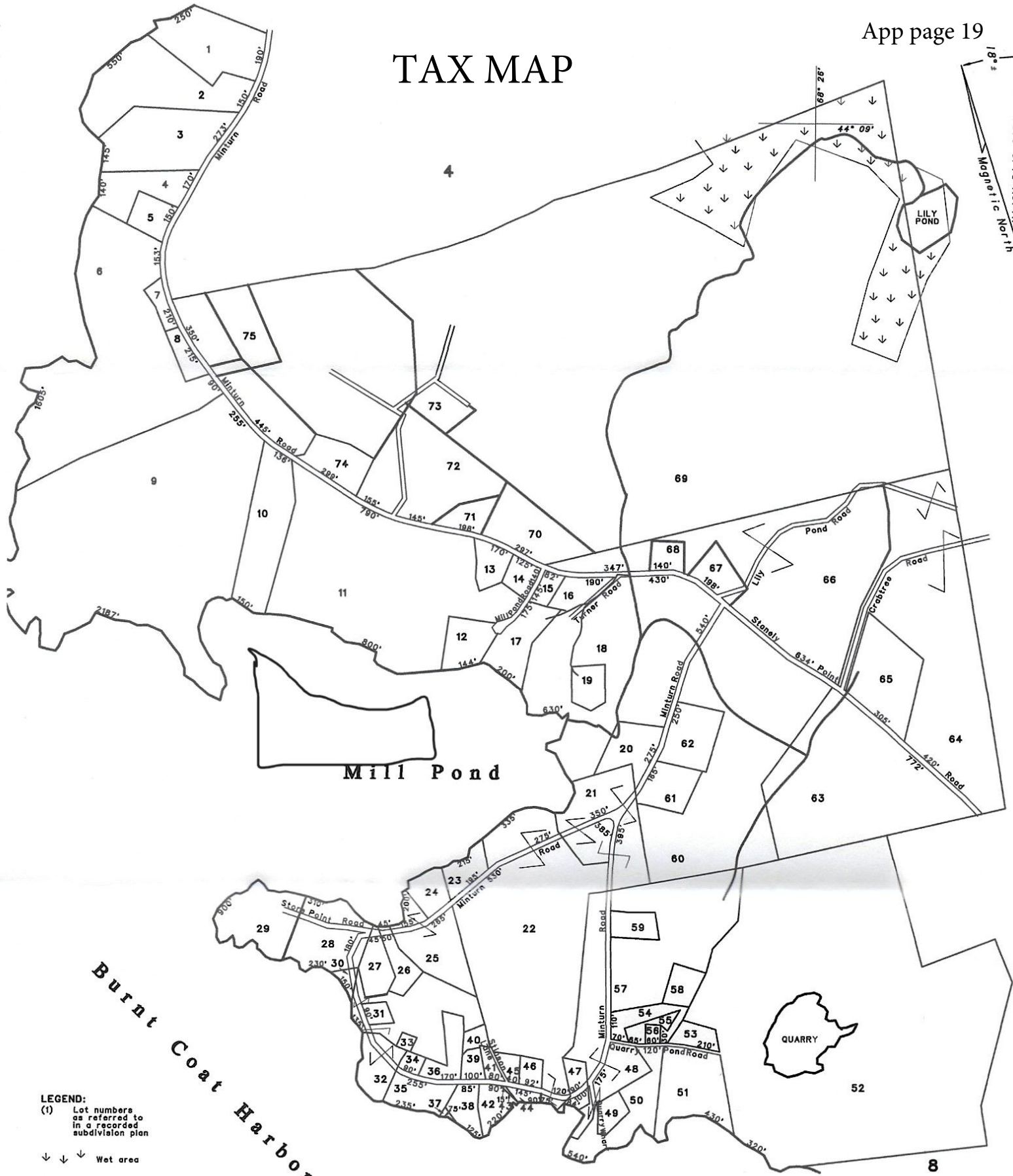
We would access the site from the Town Public Access at Mill Pond Park and from our dock from the west side of the harbor.

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

People do not typically access their shorefront property from the mill pond because at high tide the cove is shallow and rocky and at low tide it has extensive mud flats. Therefore, the lease is not expected to negatively affect riparian access. Additionally, there will be space between the rows of gear that small boats able to operate in the mill pond could drive through and a 50 foot gearless corridor

running north south boats can operate through.

TAX MAP



LEGEND:
 (1) Lot numbers as referred to in a recorded subdivision plan

- ↓ ↓ ↓ Wet area
- ~ Stream
- Boundary Location
- - - Uncertain

4	10
Map Number	10
7	10
8	10



Eastern Surveying Co., Inc, Hancock, Maine

Preliminary Tax Map For:
Town of Swans Island
 Hancock County, Maine
 1" = 200' - March, 1999

- Notes:**
- 1) Tax maps for assessment purposes only. Not to be used for conveyances.
 - 2) All frontage distances shown are approximate.



STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PATRICK C. KELMEYER
COMMISSIONER

JANET T. MILLS
GOVERNOR

RIPARIAN OWNERS 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: SWAN'S ISLAND

MAP #	LOT #	Landowner name(s) and address(es)
7	6	Timothy Adams 171 Minturn Rd, Swans Island ME 04865
7	9	William Neilson 1735 Market St, Fl 51, Philadelphia, PA 19103-7507
7	10	Gary & Laurie Farley PO Box 305, Swans Island ME 04865
7	11	Mill Pond Park Town of SI, PO Box 11, Swans Island ME 04865
7	12	Florian & Margaret Schleiff 16 Mill Pond Rd, Swans Island ME 04865
7	17	Casey Locke/Katherine Johnson 1441 W Rosemont Ave, Apt 3E, Chicago, IL 60660
7	18	Candis Joyce 316 State St, Apt B, Bangor, ME 04401
7	21	Sarah Mirkin et al

OFFICES AT 32 BLOSSOM LANE, MARQUARDT BUILDING, AUGUSTA, MAINE
<http://www.Maine.gov/dmr>

PHONE: (207) 624-6550

FAX: (207) 624-6024

MAP #	LOT #	Landowner name(s) and address(es)
<u>7</u>	<u>26</u>	Marina Peters 445 Elizabeth St, Fort Lee, NJ 07024
<u>7</u>	<u>27</u>	Carey Navarro General Delivery, Swans Island ME 04865
<u>7</u>	<u>28</u>	Robyn & Christopher Ames 9 Store Point, Swans Island ME 04865
<u>7</u>	<u>29</u>	Donald Carlson PO Box 188, Swans Island ME 04865
<u>7</u>	<u>30</u>	Marina Peters 445 Elizabeth St, Fort Lee, NJ 07024
<u>7</u>	<u>77</u>	Leslie & Rhonda Ranquist 352 Minturn Rd, Swans Island ME 04865
<u>7</u>	<u>32</u>	Timothy Trafton 388 Minturn Rd, Swans Island ME 04865
<u>7</u>	<u>Island</u> <u>33</u>	Joseph & Belva Staples 170 Red Point Rd, Swans Island ME 04865
<u>7</u>	<u>Island</u> <u>34</u>	Gary & Laurie Farley PO Box 305, Swans Island ME 04865

Please use additional sheets if necessary and attach hereto.

CERTIFICATION

I, Gwen J. May, Town Clerk for the Town of Swans 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: Gwen J. May DATE: 8-1-27

OFFICES AT 32 BLOSSOM LANE, MARQUARDT BUILDING, AUGUSTA, MAINE
<http://www.Maine.gov/dmr>

PHONE: (207) 624-6550

FAX: (207) 624-6024

		General Delivery, Swans Island ME 04865
<u>7</u>	<u>22</u>	Leslie & Rhonda Ranquist 352 Minturn Rd, Swans Island ME 04865
<u>7</u>	<u>23</u>	William French /Paul Gott 2105 Parkside Dr E, Seattle, WA 98112-2305
<u>7</u>	<u>24</u>	Nancy Carter/Gerri Lynn Smith 351 Minturn Rd, Swans Island ME 04865
<u>7</u>	<u>25</u>	Leslie & Rhonda Ranquist 352 Minturn Rd, Swans Island ME 04865

7 48 Leslie & Rhonda Ranquist
352 Minturn Rd, Swan's Island, ME 04685

I, Gwen J. May, Town Clerk for the Town of Swan's Island certify that the names and addresses of the property own 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: 11/10/2022

OFFICES AT 32 BLOSSOM LANE, MARQUARDT BUILDING, AUGUSTA, MAINE
<http://www.Maine.gov/dmr>

PHONE: (207) 624-6550

FAX: (207) 624-6024

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.

We both have spent our entire lives working on the water and have been growing oysters since 2017. We both took the Aquaculture Business Development course through the Island Institute.

Josh has been lobstering full time since 1993, has been growing oysters since 2017, and took Aquaculture Business Development course.

Jason has been lobstering full time since 1988, has a captains license, runs charters out of multiple boats, has been growing oysters since 2017, and took the Aquaculture Business Development course.

16. FINANCIAL CAPABILITY

A. Financial Capability

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

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

Letters from financial institutions are attached to this application.

B. Cost Estimates

Please provide cost estimates of the proposed aquaculture activities.

Since we have been operating an experimental lease here for three years, we already own most of the gear we plan to deploy on this standard lease, and we own other equipment (boats, tumbler, etc) required for these operations. We estimate it would cost no more than \$10,000 to purchase the additional gear we would need when the site is at maximum gear capacity.

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 checked="" type="checkbox"/>	≤ 400 square feet of gear/structure, no discharge	\$1,500.00
<input 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*) _____ have read DMR Aquaculture Regulations Chapter 2.64(10) (D) and if this proposed lease is granted by DMR, I will either open an escrow account or obtain a performance bond, in the amount determined by the lease category.

Applicant Signature

Date

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

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

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

Applicant Signature

Date

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

18. APPLICANT SIGNATURE PAGE

I hereby state that the information included in this application is true and correct. I have also read and understand the requirements of the Department's rules governing aquaculture and the application instructions pertaining to the standard lease process.

Printed name: _____

Title (*if corporate applicant*): _____

Signature: _____ Date: _____

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Note:

- All applicants must sign and date this page. Please use the space below, if additional signatures are required.
- Corporate applicants, please be sure to include the title(s) (i.e. President, Treasurer, etc.) of the individual(s) signing on the company's behalf.

Additional Applicant:

Printed name: _____

Title (*if corporate applicant*): _____

Signature: _____ Date: _____

19. LANDOWNER/MUNCIPAL 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.

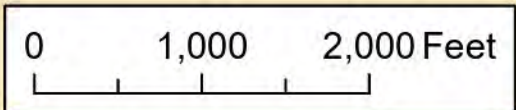


Exhibit 1: Vicinity Map

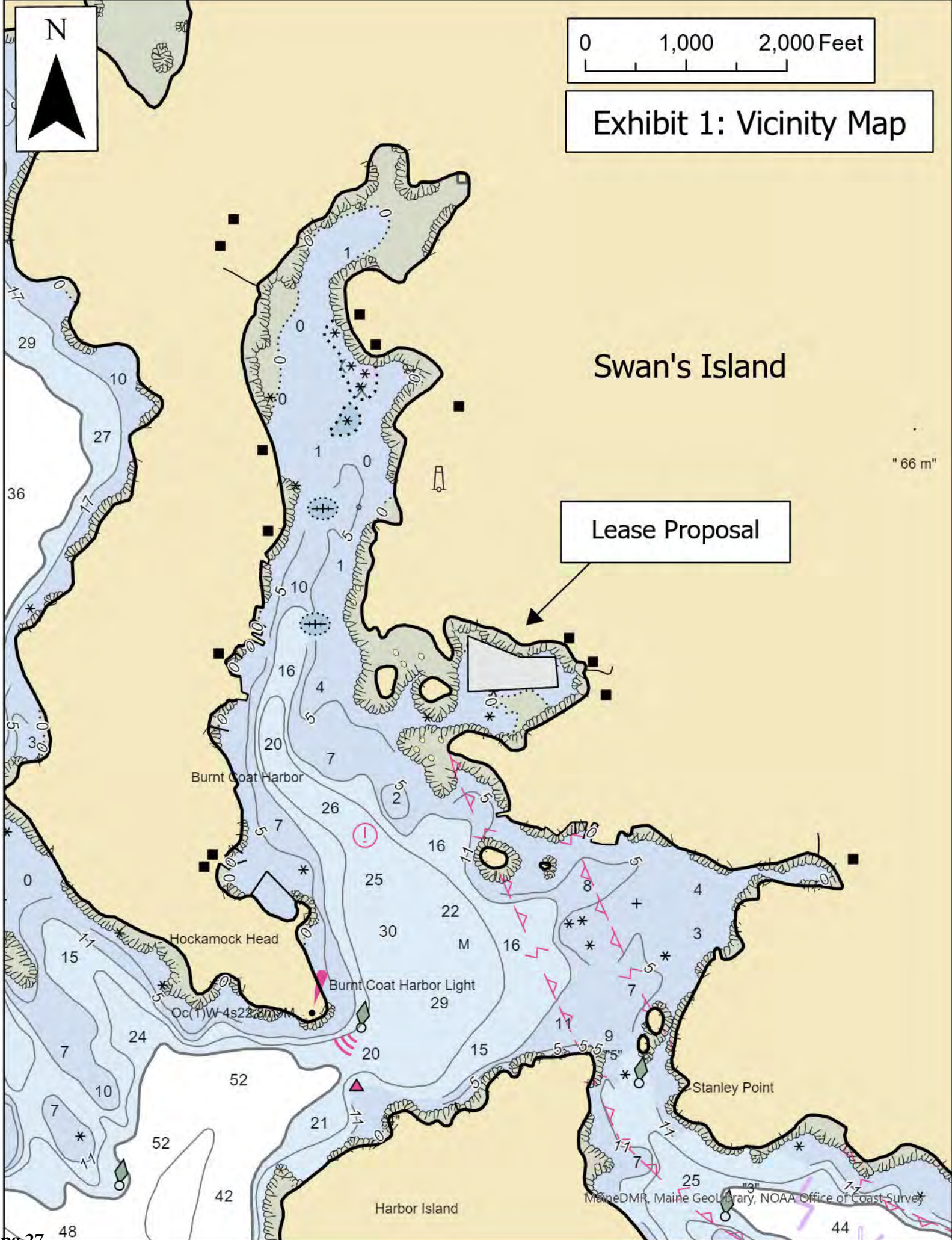


Exhibit 2: Boundary Drawing

Datum: WGS84

Field	LAT	LONG
NW	44.144364	-68.44117
Mid-N	44.14377	-68.439198
NE	44.143764	-68.437857
SE	44.142946	-68.437761
SW	44.142841	-68.441174

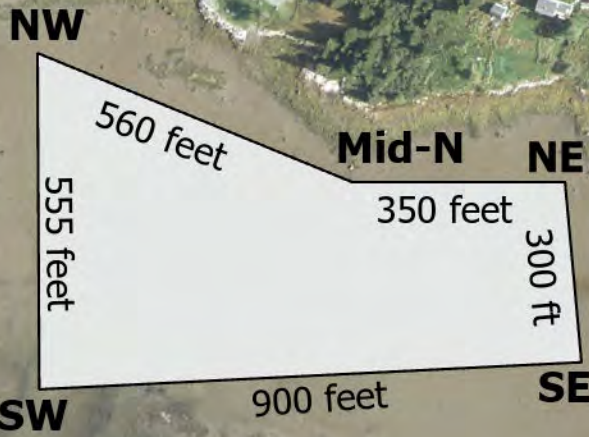


Exhibit 3: Gear Drawings

Removable Post:

Length: 4' – 5'

Diameter: 1.5"

Color: Gray



Helix Anchors: Length: 2.5' or 5'



Soft Mesh Bag:

Size: 35" x 20" x 4"

Color: Black

Note: These bags have a float attached to one side of the bag, and on the other side, the bag would be attached to the horizontal line running between posts. This allows the bag to flip up when the tide is high, and hang down when the tide is low.

Post Holder:

Length:

Diameter:

Color:

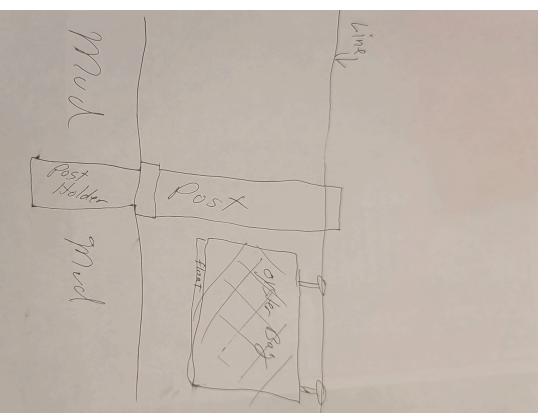
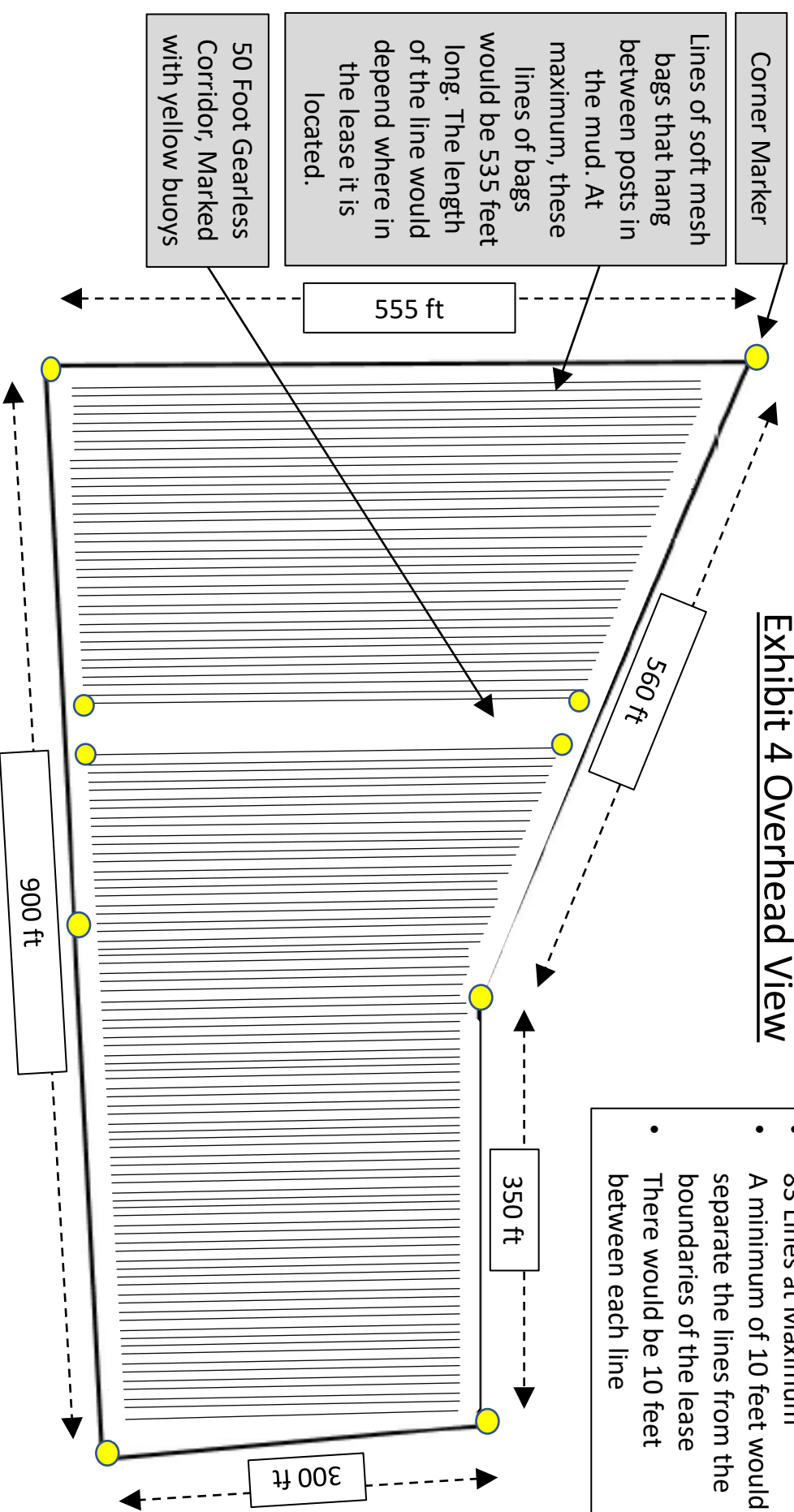


Exhibit 4 Overhead View



- 83 Lines at Maximum
- A minimum of 10 feet would separate the lines from the boundaries of the lease
- There would be 10 feet between each line

Overhead view of a single line:

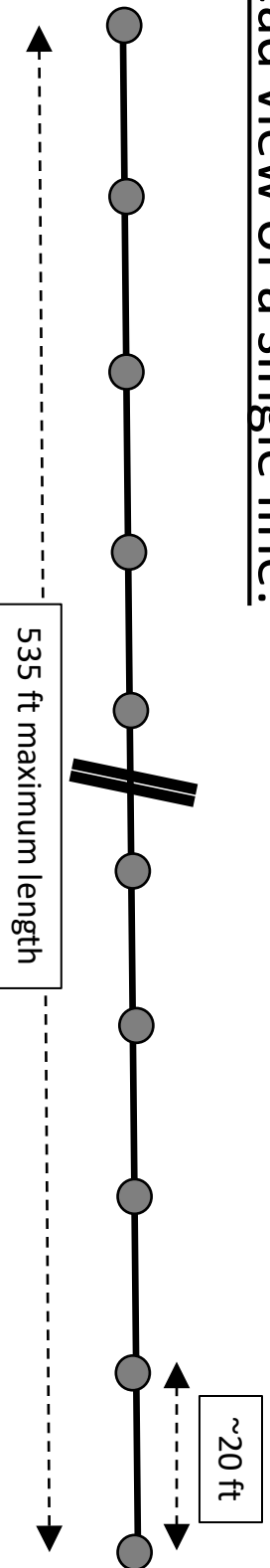


Exhibit 5: Cross Section View (April 1 – November 30)

At **low tide** the depth at the site is 0-3 feet. When the tide is low, the bags hang below the line.

At **high tide** the depth in the site is 9-13 feet. The gear is submerged at high tide, and the bags float above the line.

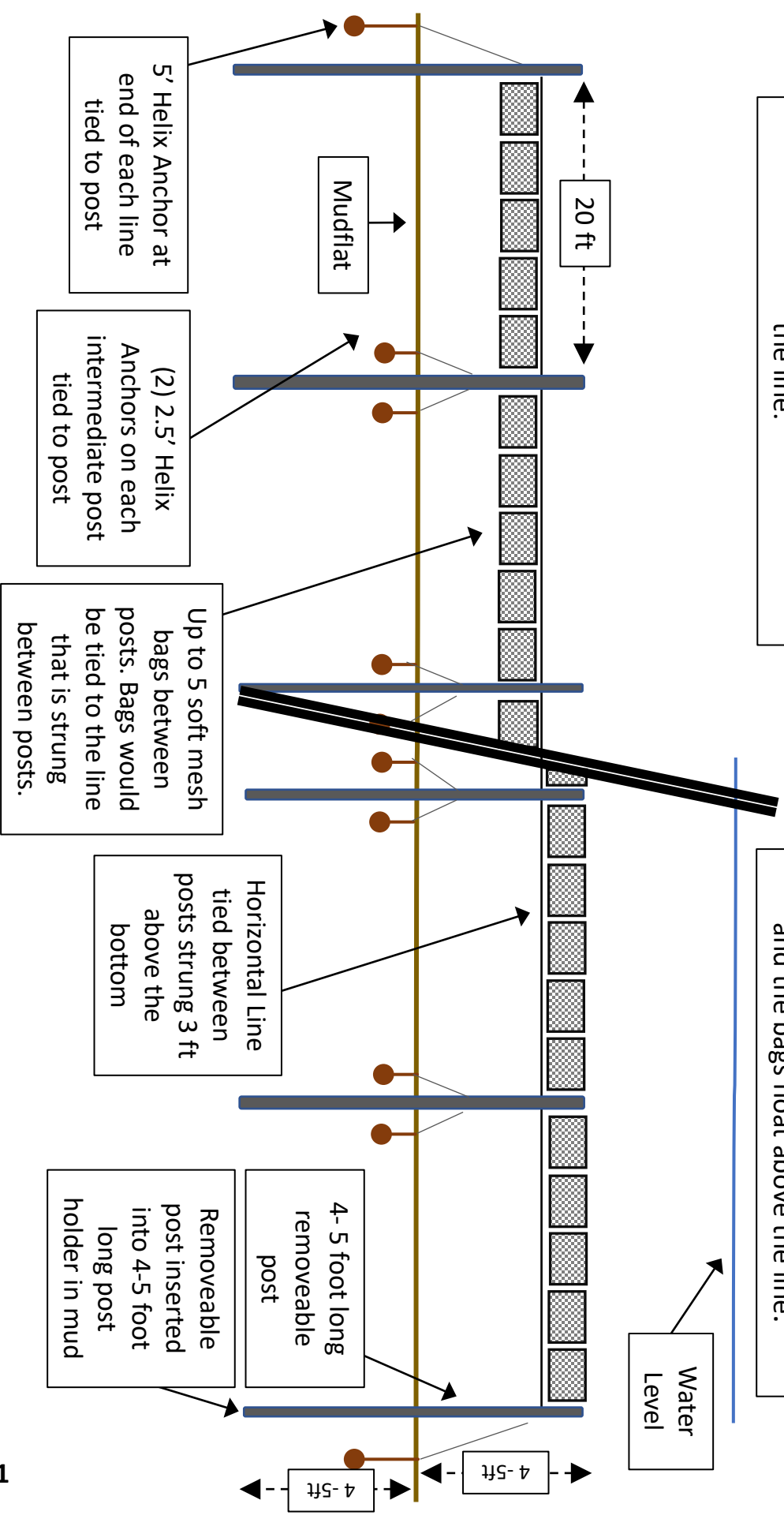


Exhibit 6: Cross Section View (Dec 1 – March 31)

From December 1 to March 31, all gear would be removed from the site other than the helix anchors and the 4-5 foot long post holder that would stick 2" out of the mud.

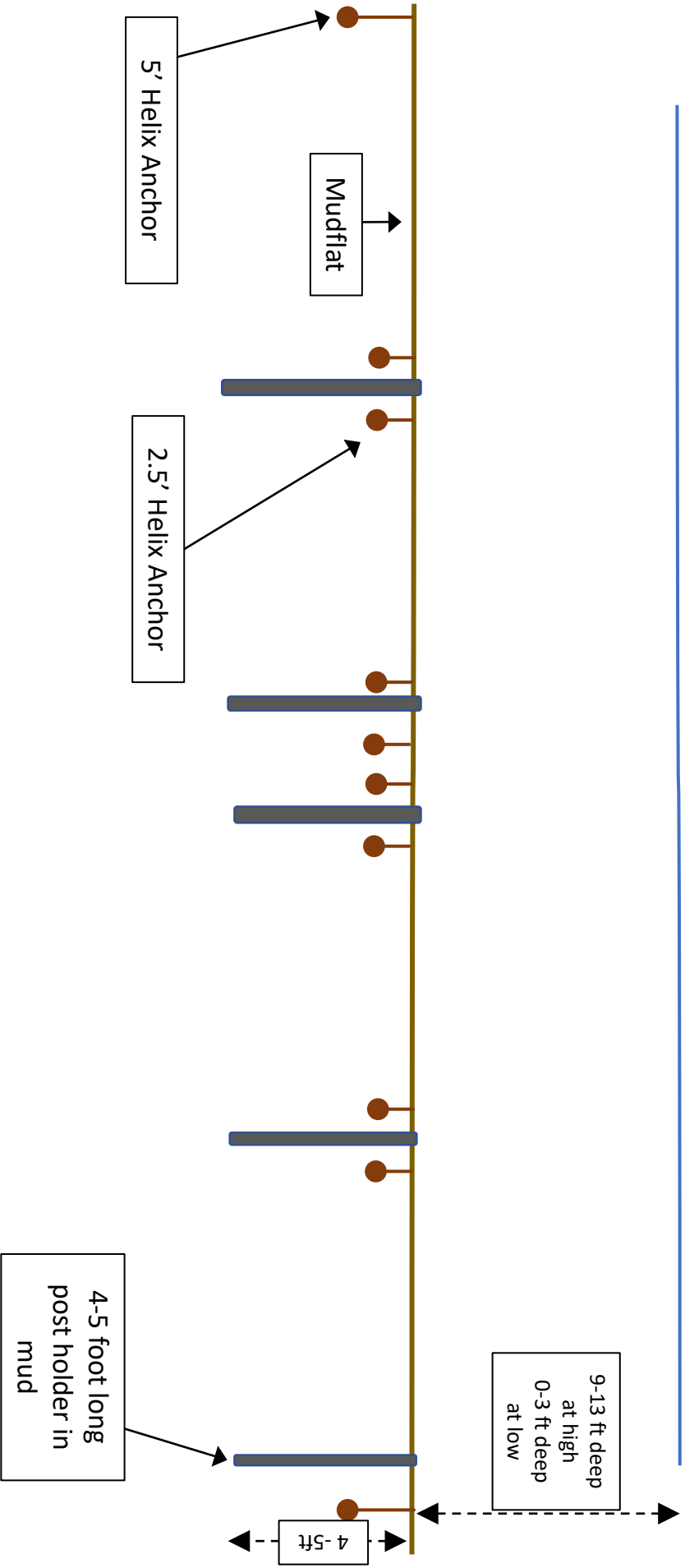


Exhibit 7: Equipment Layout

Picture 1. Approximate Boundaries Shown in Red. High Tide, so gear submerged.
Taken From -44.14431 N, -068.44006 W.



Picture 2. Approximate Boundaries Shown in Red. High Tide, so gear submerged.
Taken From -44.14197N, -068.44033 W.



Picture 3. Taken From About -44.14197N, -068.44033 W.



Picture 4. Taken From About -44.14431 N, -068.44006 W.



Bangor Savings Bank

You matter more.

State of Maine
Department of Marine Resources
Aquaculture Leases

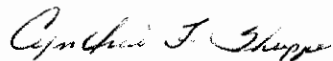
RE: Jason M Joyce
Swans Island Charters

To Whom It May Concern,

I am writing as requested by Mr. Joyce to verify his accounts have been open with us for over 4 years and have been in good standing the entire time.

Please feel free to contact me if you have any questions.

Sincerely,



Cynthia F Shoppe
Vice President,
Consumer Banking Relationship Manager
NMLS# 638275

Bangor Savings Bank
59 Foster Street, Ellsworth, ME 04605
Office: 207.974.4118
Fax: 207.667.4627
Bangor Savings Bank NMLS #449200
Email: cynthia.shoppe@bangor.com



November 10, 2022

To Whom It May Concern,

This letter is to confirm that Joshua V Joyce residing at 17 Ferry Rd Swans Island, ME 04685 has both demand accounts (checking & savings) and commercial loans with Bar Harbor Bank & Trust; all of which are in good standings.

If you have any further questions, please feel free to call me at 207-667-7194. Thank you for your time in this matter.

Regards,

A handwritten signature in blue ink that reads "Jacklyn Sinclair".

Jacklyn Sinclair
Assistant Branch Manager
Bar Harbor Bank & Trust
PO BOX 1089 | 125 High Street
Ellsworth, Me 04605
PH 207-667-7194
jsinclair@barharbor.bank

Municipal Officer Consent

TOWN OF SWAN'S ISLAND
P.O. Box 11
125 Harbor Road
Swan's Island, Maine 04685
e-mail swanisle@tdstelme.net
Tel: 207 526-4279 Fax: 207 526-4172

To: Cheyenne M. Adams
Scientist, Aquaculture Division
Dept. of Marine resources
194 McKown Point Rd
West Boothbay Harbor, ME 04575
207-441-8515

September 9, 2022

Dear Cheyenne,

On August 25th, the Town of Swan's Select Board voted, 2-0, to approve moving forward on the DMR application process. Josh and Jason Joyce's application is for the expansion of the oyster farm located in the Mill Pond and is going from an experimental to standard lease.

Sincerely,



Theresa Munch
Administrative Assistant to the Select Board

Municipal Officer Consent

Select Board Meeting Minutes – Aug 25th, 2022

Location: Town Office

Attendees: Select Board members - Sonny Sprague, Gary Turner, Jason Joyce

Visitors - Carol Loehr, Dexter Lee

Aug 11th, 2022 - minutes read by Jason Joyce. Sonny S. motioned to approve. Gary T. seconded. Minutes were approved.

Law Enforcement – Sheriff’s contract signed for 2022 - 40 hours/week at \$30/hr - \$62000 yearly. 2021 was 42.5 hours/week at \$50.70/hr - \$112,047 yearly

League of Towns – The committee will meet on Swan’s Island September 27th, 2022 at the library at 10 am.

Cemeteries –The town is looking for 1 more worker (\$20/hr 8-10 hrs /day) from the island to work Aug 29th, 30th, 31st.

Gary needs a spare Sunday to do the public restroom door.

Waiting for permission from Versant for the use of the post by the telephone pole across from the intersection of Harbor Rd. & Kent’s Wharf Rd. Once approved we will order the mirror.

Swan’s Island roads do not receive money for snow removal.

Request made by Jason Joyce for MP Oyster farm lease application vote by Select Board. A 2-0 vote was motioned and seconded to continue the DMR lease application process.

Building at dump and furnace room door to be completed by next week.

Treasurer’s warrant signed.

Gary Turner made a motion to adjourn the Select Board meeting. Jason Joyce seconded. Motion approved. Meeting adjourned at 8:10 pm.

Respectfully Submitted,

Sonny Sprague

Permission from Intertidal Landowners

From: "Karin Draper" <draper.karin@gmail.com>

To: "joshuajoyce75@gmail.com" <joshuajoyce75@gmail.com>,
"lobstermobster729@yahoo.com" <lobstermobster729@yahoo.com>

Cc: "Maililani Bailey" <m21bailey@beeline-online.net>, "John Follis" <jpfollis@tds.net>

Sent: Wed, Nov 16, 2022 at 11:14 AM

Subject: Letter of Support

Here is the cleaned-up version of what I think we said at our meeting. I'm also sending you hard copies by mail. If there is anything that needs to be changed please let me know and I can fix it. John can probably get you new copies once his printer is fixed. I wish you guys luck with the paperwork part of this. I admire how much you are doing to get this project going. -Karin

Swan's Island, Maine
The Mill Pond Park Committee
Providing water access to the public since 2003
November 14, 2022

To Department of Marine Resources, Aquaculture Committee:

Given that the Mill Pond is an intertidal zone body of water, and that the Mill Pond Park is a public recreational space as stated in project agreement PL 1999 c. 514 Sec. A-6, project number 20301000; the Mill Pond Park Committee submits this letter of support for the twenty year lease of the Mill Pond to Jason Joyce and Joshua Joyce for the purpose of raising oysters. The Mill Pond Park Committee supports the efforts of our local fishermen to diversify marine fisheries through this aquaculture enterprise. We add the following requests:

1. That there be a 50' channel, clearly marked, so that small boats can pass through to get to the launch site on the shore of the Mill Pond Park.
2. That gear does not extend beyond the north side of the ledge near the park so that small boats may access the Mill Pond Park shore.
3. That no equipment is to be left on Mill Pond Park property. The lessees shall repair any damage made by the oyster operation to the Mill Pond Park property.
4. That the owners share their proposal with the committee, also called their lease agreement, which indicates their insurance policy for equipment removal at the end of the project. It is also understood that this document shows their environmental impact statements on the local environment.
5. In the event that changes to this agreement are desired, we would like to meet to discuss in a public location with a neutral third party if needed.

Respectfully submitted, The Mill Pond Park Committee

John Follis, Chairman

Iver Lofving, Vice Chairman
Maili Bailey, Secretary
Suzette Wheaton

Karin Hagopian Draper