

APR 24 2013

AND BOTTOM

C: APPLICATION COVER SHEET FOR SUSPENDED CULTURE

Name: Johns River Shellfish, LLC

Maine Department of Marine Resources

Address: 1 Chickadee Way

City: New Harbor

2<sup>nd</sup> REVISED APPLICATION

County: Lincoln

6-16-15

State, zip: Maine 04554-4811

Telephone: business (207) 350-0847 home 207-677-3923 cell \_\_\_\_\_

Deemed Complete 6-16-15

Email address: johnsriveroyster@tidewater.net

Date of Pre-application meeting: AUGUST 29, 2012

Date of Scoping Session: February 26 2013

Location of lease site: town South Bristol county Lincoln waterbody Johns River

Additional description (e.g. south of B Island): Sparks' Cove West of Peckan Island

Total acreage requested: 2.65 acres for bottom + surface culture  
(100-acre maximum)

Lease Term requested: 10 year  
(10-year maximum)

Name of species to be cultivated, common and scientific names:

Eastern oyster, crassostrea virginica European oyster, Ostrea edulis  
Hard clam Mercenaria mercenaria Blue mussel, mytilus edulis

Name, address and phone number of the source of seed stock, juveniles, smolts, etc., to be cultivated:

MUSCANGUS BAY AQUACULTURE PO BOX 204 BREMEN, ME 04551 (207) 529-4100  
MOOK SEA FARMS INC 321 STATE ROUTE 129 WELPOLE, ME 04573 (207) 563-1456

\$1,500 application fee enclosed:

I hereby state that the information included in this application is true and correct and that I have read and understand the requirements of the Department's rules governing aquaculture.

Signature: David Cheney - President/owner Johns River Shellfish LLC Date: 4/24/13

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.

Application for a Standard lease application for 2.65  
acres for Suspended & Bottom Culture  
West of Peabow Island in Johns River, South Bristol,  
Maine

Applicant: Johns River Shellfish, LLC  
Owner, Dave Cheney  
1 Chickadee Way  
New Harbor ME 04554  
(207) 350-0847  
[johnsriveroyster@tidewater.net](mailto:johnsriveroyster@tidewater.net)

April 19, 2015



## **1. SITE LOCATION**

- a. Vicinity Map                      See NOAA Chart #13293      Exhibit #1
- b. Plan View                              Exhibit #2
- c. Aerial Photo                      Aerial photograph      Exhibit #3

## **2. SITE DEVELOPMENT**

- a. Single Structure Schematic- Top View      Exhibit #4  
Go Deep's Oyster cage images  
Mushroom anchor and helix anchors  
Example for tumbler
- b. Single structure schematic-Cross Section Exhibit #5  
Image illustrates Oyster Gro farming system. One unit can grow, dry & winter all by flipping cages or removing end caps to flood buoyancy pontoons.
- c. Maximum Structure and Mooring System Schematic-Top View Exhibit #6A.  
Farm is 765' long by 150' wide.  
3 grow sections, A, B & C composed of 5 lines each 235' long where surface gear cages are attached.  
Processing section is near raft in a southern section. 1 boat mooring  
(2) Rafts- 12' W X 18' L X 3' deep,  
24 lobster crates for additional storage  
Up to 150 bottom cages, mussels will replace 81 cages on east most lines when grown.
- d. Maximum Structure and Mooring System Schematic-Cross Section #6B & 6C.
- e. On Site Support Structures
  - 1. A mooring is proposed within the southern section within the boundary to moor a workboat. Another two 500 lb. rocks will hold the shellfish rafts in place.  
I propose to have two floats tied together in the southern most section of the 2.65-acre proposed surface lease. Each float would be at most 18 feet long and 12 feet wide. One float would be a "holding car" designed to store market size shellfish, and dry gear. The second raft would have a building for exposure protection, and hold oysters. The building would measure 10 feet square and be no taller than 10 feet in height.  
The rafts would be pressure treated timber, with a fir decking. Styrofoam billets would serve as floatation and the building would have T111 style sheathing over 2" x 4" spruce studs and the exterior

would be grey in color. Roofing would be corrugated plastic, clear in color to brighten the interior workspace. The color would be designed to blend in with surroundings and not be reflective during the day. Reflective tape will be used so the structure can be identified by nighttime spotlight for safe navigation.

An aluminum tumbler will be on the shellfish raft; it is 8' long x 5' tall x 3' wide. The gas engine and hydraulic pump will be in a grey wooden box (3' square) for salt protection and to reduce noise. A portable pressure washer may be in use after 8 am.

2. There would be no storage of gasoline or oil on shellfish raft. If heat were to be used inside the building, I propose using portable propane tanks on a small portable heater.

I would like to use a gas powered pressure washer to clean fouled gear on the lease. It would not be used before 8:00 am.

All three of my production boats have built in gas tanks. Spillage can only occur when refueling with a portable tank. I have oil mats available to mop up spills if overfilling occurs.

3. A bucket with lid would serve as a sanitary facility for the crew inside the proposed storage building.

f. Mooring System Adequacy

I propose a galvanized HXS-H0866 Helix 8" anchor with dimensions of: 1"x 5.5'. An 8" diameter disk is welded on a 5-½ shaft and screwed into the ocean bottom. I will use these Helix Anchors to secure grow lines in which surface cages will be attached. I have used these style anchors for years and have great confidence in their ease of installation by me scuba diving. Mushroom anchors 75lbs will be used to keep the grow lines from crossing, these work quite well in soft mud at this location. 2 Large rocks >500lbs. with a steel rebar staple will attached with ½" galvanized chain to the shellfish rafts or 1.5" sink rope.

g. Equipment layout

See Exhibit # 4 for surface cage image of grow cages 27 planned per line. With five lines per section. 3 sections total 405 cages. Exhibit #5 shows Oyster Gro Cage 68"x 42" x 24" each hold six soft bags with oysters in each bag.

Exhibit # 6A shows entire lease proposal at maximum capacity.

h. Gear Color

The proposed site will be marked with 6 sea farm buoys marking the boundary of the lease. The buoys will be white in color with 2" red or blue lettering stating Sea farm in contrasting colors.

This lease will be rectangular in shape, about 2.65 acres in size, and close to the west shore. The project will have 3 sections of surface

gear, aligned north to south. These parallel grow lines will have floating gear and be spaced 25 feet apart, side to side. Within three sections there will be Five 203' long grow lines where surface gear will be attached. A raft site section will be 60' long in the south portion of the lease and be 150' wide. The west section will store harvested product in two 30' long-lines beside the raft, the other side, east will have a workboat mooring.

All 405 Oyster Ranches or Oyster Gro cages are mostly black in color. Crates are blue or grey and have black floats. Black APPI surface bags are entirely black in color. The southerly-located shellfish rafts will be gray topside. The only proposed bright colors are orange bushel baskets or orange bushel totes for containing product while sorting on the raft or processing boat. Wintering cages are black in color and used to grow cohogs on bottom. The aluminum tumbler is silver in color.

i. Marking

Marking of the lease will meet Department of Marine Resources requirements, 2" sea farm lettering on white buoys. Prior to farm activity this project would have a United States Army Corps of Engineers permit. The lease rafts will have reflectors for night visibility.

**3. OPERATIONS**

a. Production Activities

1. Since 2007 I have been growing oysters in Johns River and have evaluated my techniques after first starting in Poorhouse Cove, then the Eastern Branch and now two temporary licenses at this proposed lease site. I have a nursery lease DAM BN this site grows seed from hatchery until 1.5-2.2", it is then bottom planted in JOHN NB2 or will be finished in surface cages at this site. This site is close to bottom lease JOHN NB2 and will provide a location to process (clean, sort, and tag oysters) before selling. My hope is that this lease will become part of JOHN NB2 so that oysters can move between surface and bottom sites as they grow toward adequate size to harvest and sell.

LPA's, M CHE 01-04 were a surface cage site in Bristol on the Damariscotta River for 108 cages but it was not ideal due to excessive waves caused by wind exposure.

The Peabow site will be accessed exclusively by motorboat. Up to 3 boats and 4 workers will work the farm at peak production. Oysters will be growing on site 12 months a year.

Lease activities will be repetitive in nature and include retrieving surface bags, sorting the contents of floating cages on the processing boat or raft tumbler. The smaller oysters will be returned to "clean dry gear" to continue growing until the oysters mature. Largest

oysters may be retained within the holding raft in wire cages until sales orders are received.

The surface gear cages allow oysters to be flipped periodically for drying and defouling for 24 hrs every 30 days. Workdays would most likely be 6:30 am through 5:30 pm 5 days a week. I want the right to work up to 7 days a week at maximum production. My 24' processing boat, the Julia Ruth (Exhibit # 7) would be moored within the site's boundary and would spend several months at a time at this proposal. December - April the Julia Ruth could be found dragging JOHN NB2. This custom oyster boat was completed on October 30, 2012 to haul oyster cages, drag harvest oysters in JOHN NB2, grade seed oysters. This boat sorts and cleans the oysters as they pass through the tumbler, which sprays water while a mesh drum rotates. This workboat has a sorting table large enough for 3 workers to bag and sort oysters.

If this project is permitted, a new tumbler to remove barnacles and mud from oysters will be fabricated to clean oysters prior to sale. This tumbler will be gas powered and have an insulated engine box to reduce noise. Tumbler or pressure washer would clean mussels. Gear dries out when stored on the raft and it is reused from the previous session.

No predator control methods are scheduled.

A narrow "strip" of bottom exists on the western edge of the proposed lease, which is suitable for sub tidal bottom culture of oysters. This zone is a steep drop off composed of sandy mud. The remainder of the lease is a muddy substrate too soft to support bottom planting and better suited for surface cultivation of mussels, cohogs, oysters as proposed.

Mussels could be grown on the east side of the farm where the water is deepest. They would be grown 2 yrs. on long lines; every 15" a 5' vertical line with contain wild set mussels. Blue buoys will support the line as the weight increases. As many as 152 buoy, on the eastern lease edge may be used on three 203' grow lines if spaced 4' apart.

Cohogs will be grown in surface cages just like seed oysters. The second year they will be placed in bottom cages with less than 50 planned. I hope for a 3-year growth cycle with hard clams. Toggles will mark any and all bottom cages used within the site. Another 100 will contain oysters and be used during times of sea ice or for extra storage when sales demand decreases.

2. This application is for a standard lease for a 10-year term for surface and bottom culture on 2.65 acres. At maximum production 405 surface cages and two shellfish rafts secured together will be present. A small shed 10' x 10' will provide a place to process oysters out of the hot sun or cold weather. Vibrio risk has required harvesters to keep

shellfish cool to prevent sickness. Summer shading and quickly removing from water and chilling in coolers is necessary. In winter oysters must be pulled from water and placed in coolers to prevent freezing. Keeping workers warm is another reason to have a structure.

This site would start with a shellfish raft at 12' x 18' x 3' deep and I will use existing oyster ranches, floating lobster crates and surface bags to contain oysters. This site would condense my harvest and storage operations in Johns River. I start my seed in the Great Salt Bay area, lease DAM BN some will be moved to this site for continued growth and eventual sale, for another taste profile, called Colonials. This project would be focused on having oysters accessible during the winter months when ice prevents harvesting in my other farm locations.

At proposed maximum surface cultivation, 3 segments would be composed of 5 grow lines, 25 feet apart running parallel north to south. Each grow rope would be 203 feet long with a Ranch spaced every 7.5 feet in a "line". 27 Ranches per line translates to 135 ranches per section. 135 ranches per segment times 3 segments equal's 405 cages. The raft would be on the southern boundary, and hold the harvested oysters prior to sale.

All grow lines would be parallel and be spaced 25 feet apart for working access and to prevent gear from fouling with other parallel lines. The raft segment and first section would have a 26' gap to permit east west navigation within the farm. The next 2 sections would have a 32' gap between them for boat access to the grow lines. The lease at maximum capacity: 3 Segments 235' long each (705') and a 60' Wet storage section = 765 total length. The width is 150' to form a rectangle on the edge of the channel with all farming activities and all gear will be contained within the boundary.

The bottom culture would be on the western edge of the lease in a narrow strip where the bottom is firmer substrate. Free planted oysters on bottom and beneath the shellfish rafts would be utilized. Up to 150 bottom cages, 30" x 30" x 4" will hold oysters either for wintering, selling or growing.

3. I have been using the latest technology Go Deep International's Oyster Ranch farming system developed in Canada since March 2012. Since August 2007 I have experimented with APDI "soft mesh" bags, they are now NETTEN brand bags sold by Brooks Trap Mill in Warren and imported from France. I have found surface cages to be effective since they allow for condensed growth, DE fouling & wintering in one compact unit.

Surface cages allow for varying mesh bags so that small to large oysters can be contained all within one unit. After 7 seasons of experience with oyster seed from 1mm- 75mm in size, I have learned

a great deal. I am confident the gear I propose is available and the technology is relevant for the purpose.

Mussel cultivation would occur on the eastern side of the farm. The same grow lines would have wild set mussels attached naturally by their threads. Blue buoys will be spaced as needed to hold the increasing weight. 609' of horizontal mussel lines may be utilized on the eastern most grow lines. The vertical lines are 5' deep and spaced every 15" while blue buoys support the weight off bottom.

Cohogs would be growth in surface cages like oysters until big enough to be retained in mesh bags attached by rope to one another in groups of 10. Once larger they may be grown in the 30" x 30" bottom cages. Bottom cages 30" x30" in ½" wire mesh will hold the largest cohogs until sold. Mussels and cohogs will represent 10-20% of shellfish inventory.

4. USACOE would like to know the type of employment opportunities, which would be created with this proposed project.

This proposed farm would enable my company a suitable location for growing, and holding oysters in approved waters for human consumption. My operations plan for surface gear use in Johns River, since my existing lease JOHN NB2 has no conditions for rafts or surface gear. This necessary Peabow farm will hold 2"-2.50" oysters from lease DAM BN2 to finish in surface cages or 1.5"-2" be planted at JOHN NB2; to be harvested by drag or diving a year later.

If the winter is mild dragging can occur and surface cages can be accessed. If winter is cold then ice prevents dragging and surface cages must be sunk beneath the ice. After ice thaws then work and harvesting continue. Oysters only grow April – October here.

This site has the capability of employing several workers with year round employment, between all my leases. Farm activities include flipping cages, harvesting, cleaning, grading and packing oysters. Employment opportunities also include a delivery truck driver to operate a weekly sales route.

b. Noise and Light

1. My processing boat (Exhibit #7) has hydraulically powered equipment to heist cages then sort and wash oysters. Access to the lease will be by boat, the primary boat Cozy has a 2005 Yamaha 2 stroke 50 HP outboard. 20' aluminum with 100 HP is planned to move oysters from Damariscotta to Johns when I can afford to do so. My other two boats have 2012 4-stroke outboards. The processing boat, Julia Ruth uses a 10 HP Honda gas engine to power a hydraulic pump, which operates a wash-down hose, tumbler and pot hauler. This Honda run pot hauler is similar to lobster skiffs in the area. This processing boat has an engine box for protection and vibration control. Adding a Napa car muffler additionally quieted the Honda engine.

I wish to use a portable gas-powered pressure washer on site as well which I proposed to use after 8 am. I located this farm west of Peabow instead of enlarging my operations in the Eastern Branch. My hope is to combine this site to be part of JOHN NB2 to reduce paperwork/ tagging during harvesting. There will be no light proposed on this site, and I will not work the farm after dark.

2. Generally the processing boat will be on site for during late fall – spring to drag harvest in JOHN NB2. My plan is to have a tumbler / grader on the shellfish raft to reduce the work by hand and therefore time on the site. The oysters, which grow at varying rates, are hand fed into the grader to be cleaned. Similar sized shellfish are rebadged by volume for continued growth, and large ones are held within the raft until sold.

Work days are 6:30- 5:30 five days a week (7 if necessary) with two seasonal employees and a manager, work will occur during weekends. The farm will have floating gear 12 months a year; peak growth would be June- October. Harvesting on Monday and Tuesday for delivery on Wednesday is my current procedure. Distributors desire year round production and restaurants want a menu item to be available rain, shine or snow.

3. My processing boat is as quiet as I could engineer. The engine was mounted in an aluminum box on specialized rubber mounts to reduce vibration. I additionally bought the largest muffler at Napa for a 1.25" exhaust port. My new tumbler will be even quieter.

After clamming here since 1982 I realized this site has protection from the open ocean, shielded from the northwest winds, has no private docks, no public access, has approved waters for harvest and gets morning sunshine!

4. The lease will be marked by boundary buoys. There is no need of light fixtures for marking the site, but several reflectors will be attached to the shellfish rafts if someone uses a spotlight to navigate at night.

5. I may work on this site after dark if I have to make boat repairs in order to return home, otherwise there is no reason to be on site after dark. I may be onsite before sunrise, "at first light" to take advantage of extreme low tides. Extra low tidal levels are needed to resurface wintered gear, find lost moorings, and adjust moorings during slack tide.

c. Upland Facilities or Holdings

There are no shore side facilities to be used on this project. I respect private property and I realize the Sproul family spends summers on their Peabow Island. They beach a Peapod punt 500 feet south of the site to access their summer shack. I realize the property may be sold or developed but I based my farm on the historic uses of this area as far back as I can recall.

d. Current Operations

Currently I manage two LPA's under my father's license until this application is processed. Those licenses will be terminated if this application is permitted.

This site represents and improvement of my East Branch surface farming, where I have 2, 400 SQ' LPA sites. One has a 12' x 16' shellfish raft where I hold market-sized oysters, store gear and tie up when processing on the Julia Ruth. Included in this Bristol license is one growing line (LPA-CHE-02-08) of 13 cages.

On The South Bristol side of the Eastern Branch, is my LPA, CHE-03-08 with two more grow- lines, which permit 25 cages.

The East Branch has around 16 moorings and 10 docks, and there is no room for a 2.65-acre farm site without interfering with docks or moorings. Sproul's location is better protected from wind while remaining outside the navigational channel.

Distancing a farm from septic systems is another reason for a lease proposal at risk from pollution sources such as waterfront homes.

#### 4. a. Environmental Characterization

The majority of the bottom sediment is too soft for bottom culture. The water depth here is critical for surface cage farming, to properly winter /submerge cages. On the western boundary, MLW depth is 2' & MHW depth is 11.9'. The eastern boundary is about 7' MLW and 16.5' MHW.

Current speed is ½ knot on average southern flood and ½ knot on northern ebb tide. This location offers the proper depth for oyster growing but not too deep or lobstering could take place. The shoreward lease edge borders a shoreline, which is nearly straight with a steep tidal drop off ideal for surface cage use. The site is close to the shore and the topography rises dramatically so the wooded hillside provides protection from cold northwest winds. Although ice develops during severe winters it is late to freeze and early to thaw.

West of the proposal, is a sandy shore with gravel it is about 60 feet wide on an extreme low tide. There is not much seaweed or rockweed here; it's mostly void of cover. Small periwinkles on barnacle-covered rocks and a few scattered mussels, occupy the tidal zone. Razors & steamers are found in small harvest numbers, outside the proposed boundary along the sandy shore. Pogies, Bluefish, Strippers, Smelts, Kayaks and Herrings have all been caught within this Branch over the years. Currents are slow, and the site is protected from storms.

Cormorants are most abundant, but Buffleheads, Merganser's, Eider Ducks, Osprey Herring Gulls, Yellow Feet and Great Blue Heron are common. Bald Eagles are infrequent but are seen most often on Peabow's tallest Eastern White Pine.

The steep woods border the site with mostly Red Oak trees and other hardwoods such as Maple and Birch.

No docks within the lease boundary. No homes within 200' of MHW.

#### 5. Area Resources

##### a. Shellfish Beds, Fish Migration Routes and Submerged Vegetation Beds

Soft Shell clams, razors and surf clams are scattered in scarce numbers along this tidal shore. This proposal is outside of wild shell fishing. My goal was to find a shore with sub-tidal waters, out of wind and seas, and not to take acreage away from wild shellfish harvesters. All oysters bottom planted on my fathers LPA's were put there

to study growth, mortality and represent a financial investment. Most commercial harvesters dig clams north of this site where the digging is more lucrative, those that dig west of the site are along the shore outside the proposed farm and the quantity is small compared to productive flats. Razors are outside the proposal. No Scallops and no blue mussels with proposed boundary. I choose not to farm or harvest sea clams and razors, which are west at the extreme low water mark.

There are no Eelgrass beds in this proposed lease site.

Seins have been used in this area in June to catch baitfish.

My proposed activities will be in sub tidal waters within the boundary and will not affect existing shellfish harvesting outside the lease. There are no wild shellfish resources within the boundary.

This site's growing area classification: Currently classified by DMR water quality classification program as "Open / Approved for the harvest of shellfish".

See Pollution Exhibit #8A. : Area No. 24-A Johns River and Pemaquid River 4/3/13.

**Map of eelgrass beds:** There are no eelgrass beds within the proposal boundary Exhibit # 8B.

b. Essential Habitats / Endangered Species

Please see letter from MIF&W Exhibit #9

6. Surrounding Area Use

a. Riparian Property

1. South Bristol Tax Map # 26 see Exhibit #10A.

2. Riparian owner within 1,000 feet of lease. Exhibit #10B lists from town hall certified to be accurate. A 1000' radius is drawn on the tax map. Certified by town office to be accurate.

3. Written permission from riparian is needed if their land is to be used for lease activities. There will be no need for land access on this project. I will not trespass above the high water mark.

4. Riparian owners current use of the lease site.

Tim Ingraham has a wooden ramp to access his shore from Ingraham road which connects RT130 to a turn around 100' from the MHW mark. If he wanted to construct a dock I would alter my surface cages lines to create an access corridor, but would have to add to the lease boundary that same amount of space. Since managing my fathers LPA's I have not seen riparian's on the shore in the proposal vicinity. I don't observe this site being used for any activity except my oyster cultivation and Ron Poland digging clams, west of the site.

From my observations the Sproul family row a punt, 500' north of the lease proposal to Peabow Island for summer vacations.

In late winter of 2013 they applied for moorings #324 & #331 after my scoping session. No moorings as of April 2015. Thereafter I moved my lease several hundred feet north to accommodate their 'new moorings' and future dock. The nearest current mooring, owned by Nancy Adams is 225' to the north of my revised lease. A 32' sailboat is moored seasonally and we have a good relationship. John Walker's dock is on the opposite shore about 670' away. Tracy Adams proposed sailboat mooring is 125' north of my proposal.

At the Public Scoping Session on Feb 26, 2013 I conveyed my lease intentions, and answered questions about my proposal. During the meeting I heard from Riparian's, Selectman and clam diggers about their concerns. The South Bristol clam diggers did not want me to free plant / grow steamers and cohogs in tidal flats. I said I would not grow clams freely in the tidal mud and I moved the farm eastward into deeper sub-tidal waters and abandoned soft shells clam growing.

After the scoping session, I reduced the acreage from 3.77 acres to 2.65 acres and moved the lease north so the Sproul moorings would be 115' & 135' south of the lease boundary.

I attended a Selectman's Meeting on March 7<sup>th</sup> to again discuss my proposed farm. I could not move further east or I would be in the navigational channel, which the harbormaster and US Army Corps of Engineers Peter Tischbein want clear for boat traffic.

b. Existing uses

1. This site is a quiet undeveloped shore. Tim Ingraham has 720' of shore frontage, with a home and barn on 250' up the hillside. I can barely see his home from the proposal due to tree cover. John Walker's home is northeast more than 750' away on an exposed point, void of trees. The Sproul Family Trust has over 4,200' of shore frontage; their farmhouse is 600' away on the ridge.

Lobstering within the site is uncommon, but a few traps are set within the channel to the east of the proposal during spring, summer and fall. The navigational channel is on the east side of the proposed site, which is a good spot for water skiing and tubing. Activity here is uncommon for any activity.

Gillnets and Seins have been used in this area in late May through August to catch baitfish. Trolling for sport fish such as strippers, mackerel and Blues previously existed in this vicinity.

2. This lease, if approved would be a surface site with 405 surface cages and two rafts, one with a building. The two 12' x 18' rafts with 12 crates on each side will represent the 60' x 150' harvest storage area on the south end, along with a boat mooring.

There will be 5 growing lines, each 203' long or 135 ranches in each section in 3 uniform sections. *I request that my agents have exclusive shell fishing within the lease boundary.* Oysters would be bottom planted in shallow waters on the lease edge and bottom cages could be smothered if dragging was conducted by the public. All existing uses are welcome such as canoe or kayaking. Clamming can occur outside the boundary, as well as lobstering. The area is large and there is ample room for

sein or sport fishing outside the surface gear even at maximum capacity. This farm represents a small amount of the acreage in this vicinity.

3. There are no moorings within the proposed boundary. I may apply for a wet storage permit for a shellfish raft during the application process. I applied for a mooring permit in April 2015 to moor my boat, when working my fathers LPA's and or my lease JOHN NB2. The mooring, within the proposed boundary will become part of the lease if this application becomes permitted.

The Sproul's & Adams moorings are the closest structures to the proposed site; their locations are plotted on the vicinity map.

Jeff Poole from South Bristol sets gillnets and Seins in this area, as recently as 2012.

Dennis Zackadelli fished a sein nearby in 2009-2010.

Glen Brown of Waldoboro set Seins for Pogies in 2010-2011.

There is no Sea Commercial Scallop fishery in Johns River.

4. Riparian owner's current use of the lease site for purposes of access to riparian land. Tim Ingraham has a ramp from woods to the shore. The proposal is 125' from this structure. I applied for a lease in this location, as I have not witnessed any activity on this shore except clam digging.

7. Technical Capacity

My technical capacity is evident in the fact that I currently product and sell oysters as a full time occupation since 2012 nearly year round. I have lease JOHN NB2, in 2009 and DAM BN, in 2015 and Johns River Shellfish, I became a certified Shellfish Shipper in December 2014 to wholesale shellfish within Maine and ship out-of state on a common carrier.

Oyster spawning volunteer at Darling Marine Center 2014.

In 2007 I purchased my first farm-spawned seed oysters and began to grow them on Limited Purpose Aquaculture sites. I earn 90% of my income from oysters.

8. Financial Capability

a. Financial Capability See Exhibit #11

Bank accounts statements account numbers blacked out.

b. Cost Estimates

*First stage cost estimate:*

Seed stock is from existing operations DAM BN.

**\$4,320 paid labor** per season.

4 boundary moorings (\$95 x 4=**\$ 380**)

**14 grow line moorings @ \$92 each= \$1,288**

No Sea farm Buoys expense (used lobster buoys in stock.)

Raft mooring exists in East Branch and will be used until 2016; raft requires **\$200** annual repairs.

DMR per acre **rent fee \$265** for 2.65 acres

373 gal gas @ \$2.68 gal= **\$1,000 fuel**

I will use existing surface cages & bag inventory to grow oysters to market size. No additional gear expense. LPA mooring will be incorporated into lease.

**Minimum first year operating costs = \$ 7,453**

**Maximum capacity of lease:**

405 surface cages by Oyster Gro cost = \$73,710.  
2 shellfish rafts (12' x 18'x 3') = \$10,000  
Grow lines & mooring ropes- leftover from lobstering  
Boat & truck fuel = \$2,600  
39 Helix H0866 Anchors = \$3,510

Labor = \$12,960  
Misc. expense = \$1,230  
Aluminum tumbler = \$1,850  
Bottom cages, mussel buoys, raft cages = \$3,130

**Cost @full capacity: \$108.990**

Seed stock provided from other lease interests

c. Other lease Interests and Multiple Ownership

CHE-02-08 East Branch, S. Bristol (400sq')  
CHE-03-08 East Branch, Bristol (400sq')  
PCHE-04-14 West Peabow, S. Bristol (400sq')  
PCHE-05-14 West of Peabow, S. Bristol (400sq')  
JOHN NB2 Northern Branch, S. Bristol 4.25acres (bottom cultivation only)  
DAM BN, Damariscotta River 3.35 acres bottom & surface cultivation  
MCHE-01-12 (400sq')  
MCHE-02-12 (400sq')  
MCHE -03-12 (400sq')  
MCHE-04-12 Damariscotta River, Bristol (400sq')

d. Other Lease Interests and Multiple Ownership Continued

Applicant: Johns River Shellfish, LLC. - Holding company  
Taxes are filed as an S. Corporation Johns River Oyster, Inc.  
President: David P. Cheney has 100% ownership

See enclosed article of incorporation:

A. Corporate Applicants Exhibit #12A.

1. On 3/16/2012 John River Shellfish, LLC filed certificate of Amendment with the Secretary of State for a Maine LLC
2. 2. Name of officer: President  
David P. Cheney  
1 Chickadee Road  
New Harbor, ME 04554
3. Name directors: no directors appointed
4. David P. Cheney applied for an Experimental bottom lease JOHN NB in 2008. It was granted for a 3-year term.

In Feb 2012 Johns River shellfish, LLC was granted a 4.25-acre bottom lease JOHN NB2 for a 10-year term.

On January 17, 2013 Johns River Shellfish, LLC applied for a 3.35 acre Standard Surface Lease at Blackstone Narrows in Damariscotta. Feb, 2015 lease DAM BN was granted.

5. David P. Cheney has 100% (all 100 shares) ownership rights to Johns River Shellfish, LLC and Johns River Oyster, Inc. Exhibit #13
6. Merrilee Cheney has 4 LPA's as listed on c. Other Lease Interests  
David P. Cheney is an agent and works this site
7. Clayton N. Howard is the appointed Clerk with no ownership or voting rights.
8. David P. Cheney in 2009, was fined for "Harvesting oysters in a prohibited area".  
2010, David P. Cheney was fined for "selling oysters without a dealers license".  
2014, I was cited for "Exceeding shellfish harvest requirements"

#### Other Requirements

a. Performance Bond

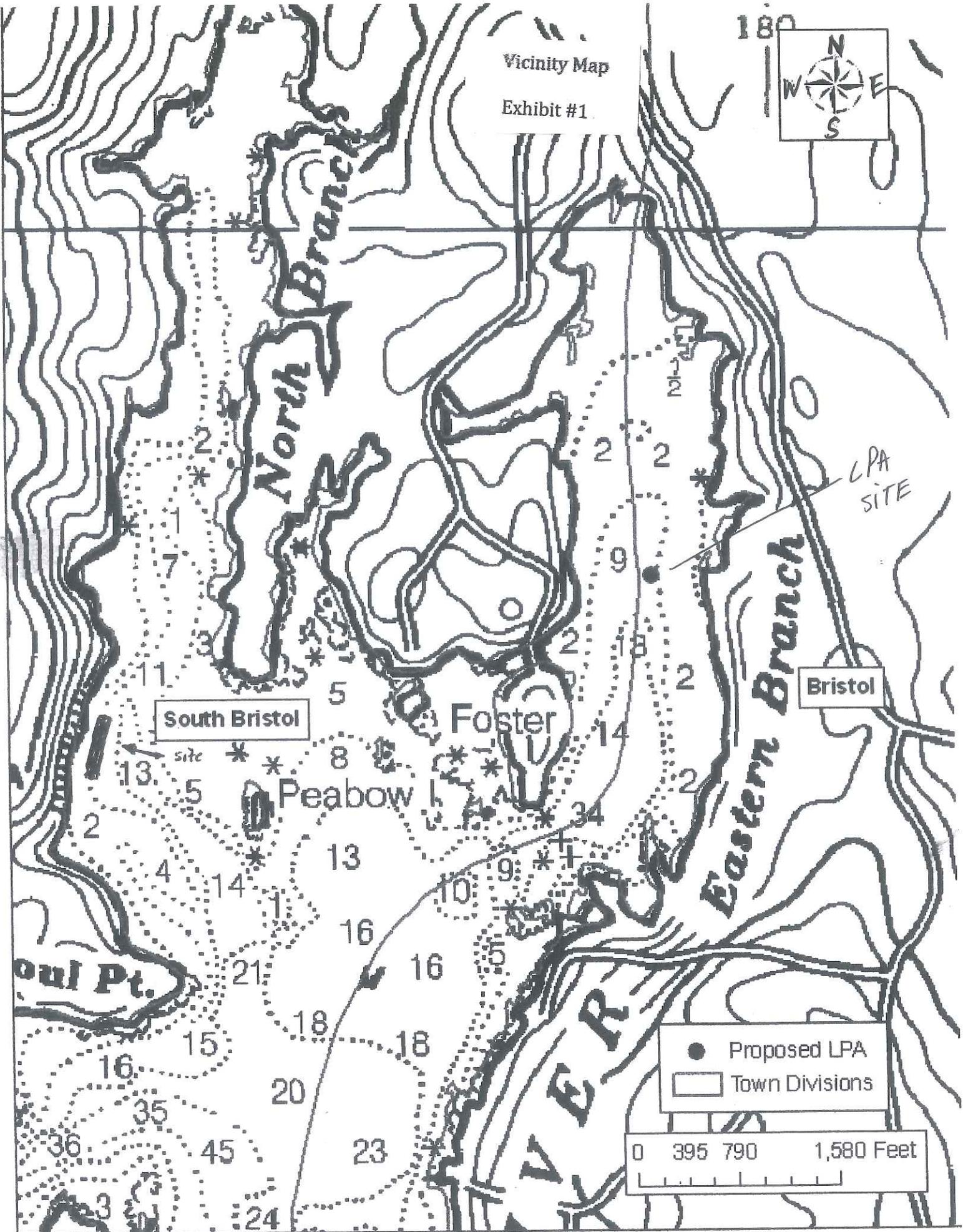
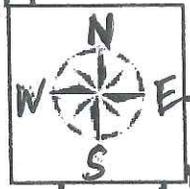
Total combined area of structures on lease is > 400 square feet.

Therefore a \$5,000 Escrow account is necessary if MDMR Commissioner and USACOE approve this lease.

Vicinity Map

Exhibit #1

180



South Bristol

Foster

Bristol

LPA SITE

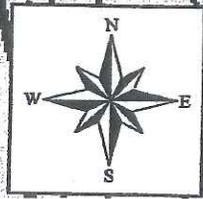
- Proposed LPA
- ▭ Town Divisions

0 395 790 1,580 Feet

SPROUT COVE SURVEY MAP CASE 10/11/10/10/10

Plan View

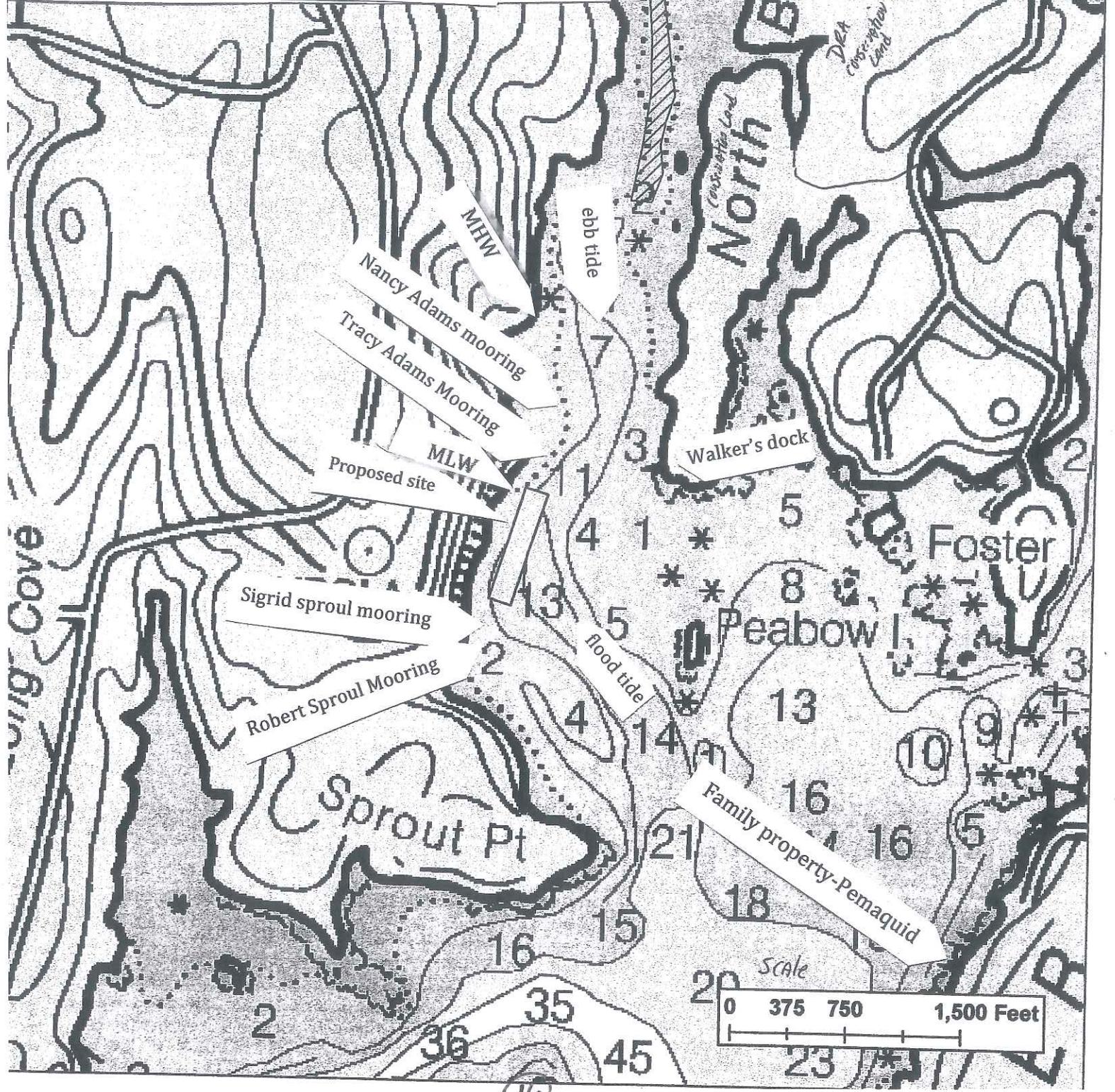
Exhibit #2



Corner	Latitude	Longitude	
NW	43° 54.411'N	69° 32.878'W	then 765 feet at 197° True to
SW	43° 54.2906'N	69° 32.9289'W	then 150 feet at 107° True to
SE	43° 54.2834'N	69° 32.8962'W	then 765 feet at 17° True to
NE	43° 54.4038'N	69° 32.8453'W	then 150 feet at 287° True to NW

NOAA Chart #13293

Total Acreage = 2.63 acres





Aerial photo

Exhibit #3

JOHN NB2

Site boundary

0 375 750 1,500 Feet

2. Single Structure Schematic

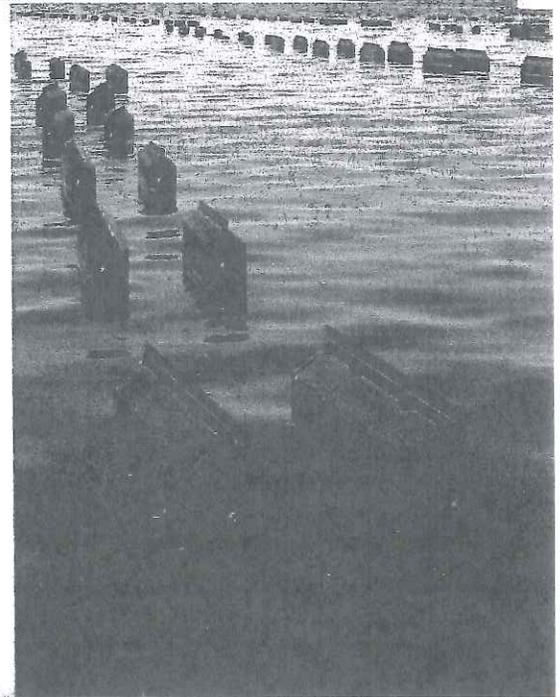
TOP view

Get the System™ and the Know-How

OysterGro™ makes aquaculture more of a science than an art, but actual experience and know-how still provide valuable insight, especially for the aquaculturist who may be new to the business.

Bouctouche Bay Industries Ltd. can offer consulting services with the purchase of the OysterGro™ system. Since aquaculture success is highly dependent on timing, BBI can provide guidance on when key actions should be taken. In addition, BBI consultants can provide analysis and advice to optimize your OysterGro™ system for yield, quality and profitability.

Surface cage grow lines



HM-PYRAMID200 740170 200 327.77

Imported Cast Iron Mushroom Anchors

2516

An economical, long-lasting, dependable anchor for mud bottoms. Remember: all mooring anchors should be rigged for storm conditions.



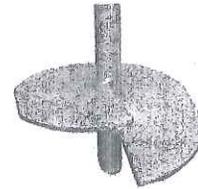
OysterGro

www.oystergro.com

Helix Mooring Anchors

5' x 8" Disc

These lower-load round shaft anchors can be used for smaller boats and small docks. They can be installed by a diver without special installation equipment. Simply screw the anchor into the bottom. Very effective in shallow waters and mud flats because they don't drag around the harbor bottoms. These anchors are preferred in environmentally sensitive areas and have been recommended by some state agencies and scuba-diving tour companies. Must be installed all the way into the ground up to the eye.



Galvanized

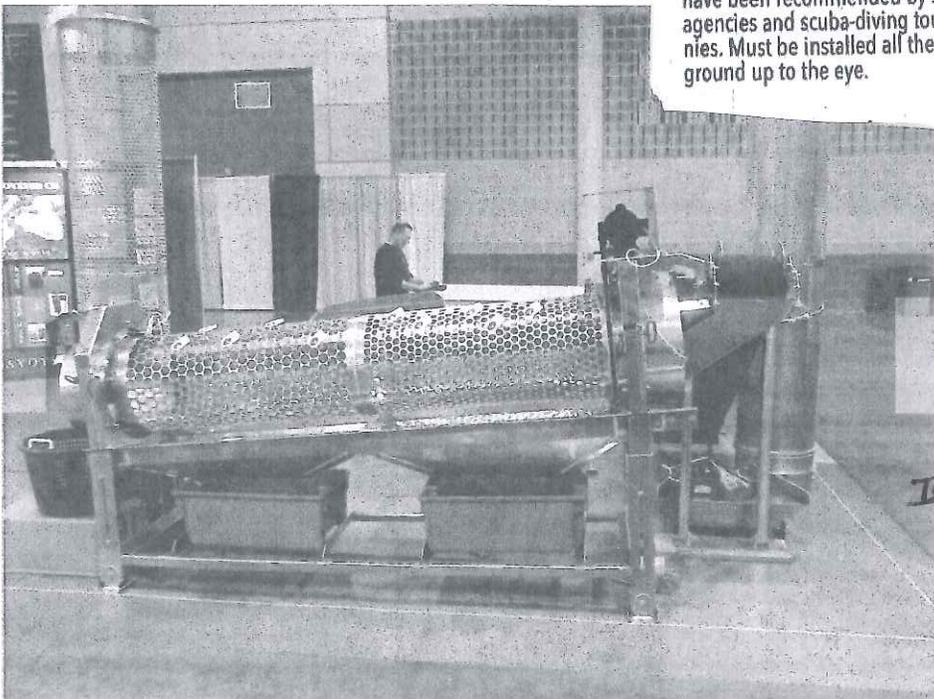


Image of tumbler / grader

Exhibit #5

1.5" black wire size: 68" L X 42" W X 24" Deep

The caps accommodate six Vexar oyster bags measuring approximately 18" wide x 35" long x 3" high (46.7 cm x 88.9 cm x 7.6 cm) on two levels.

Main and secondary rope lines make mechanized handling feasible while providing secure anchoring and stability in all types of weather conditions.

Door allows for quick access to oyster bags.

# THE COMPLETE FARMING SYSTEM

Wintering is a matter compared to arduous ex

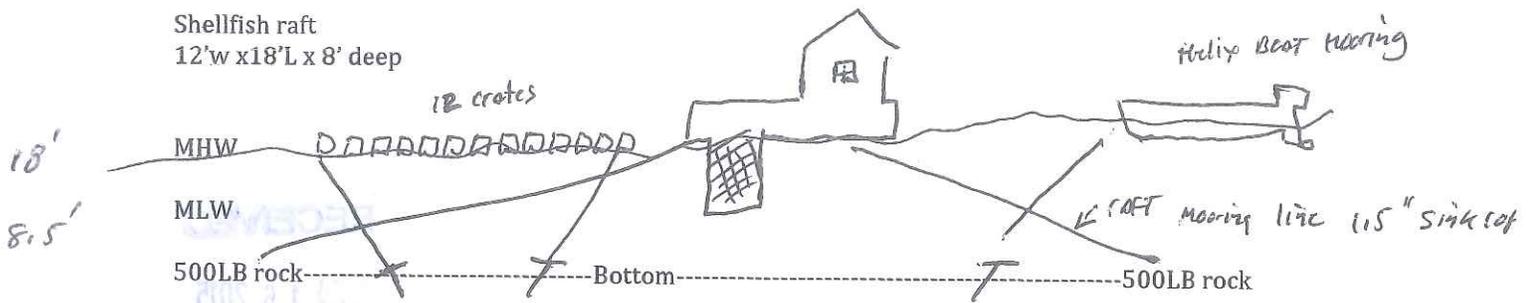
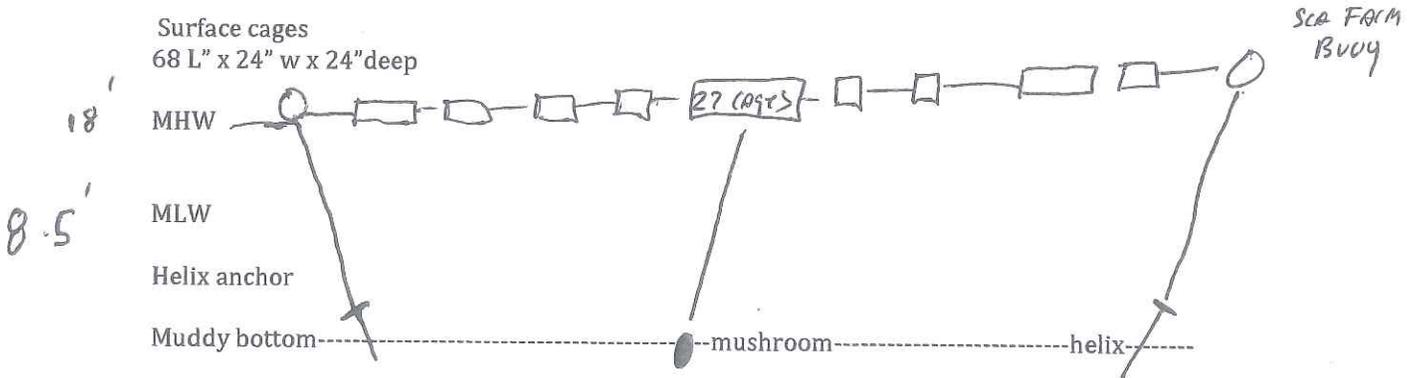
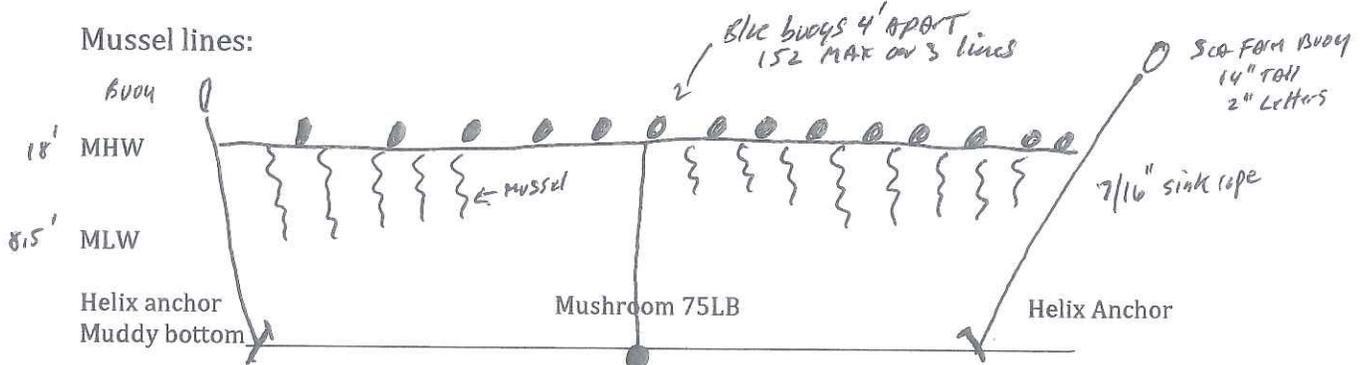
Prescribed exposure to sun (UV) and air controls secondary spat, competitors, predators and contaminants.

Positioned for profitable growth.



Exhibit # 6B.

d. Maximum Structure and Mooring System Schematic-Cross section:



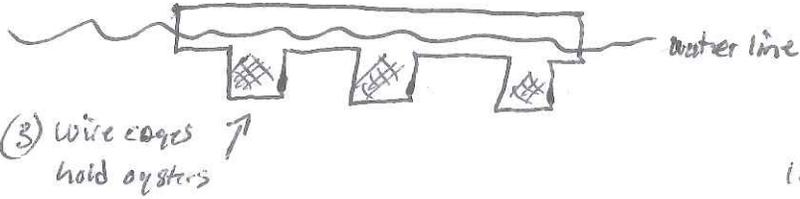
Florida Department of  
Natural Resources

e. On Site Support Structures:

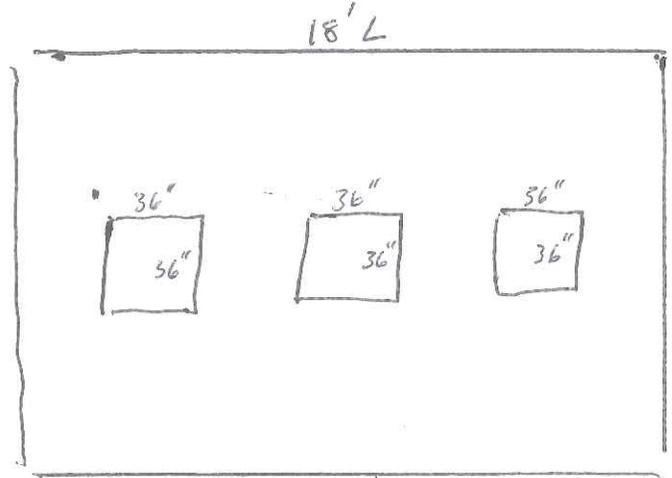
Shellfish Holding Raft 12' x 18' x 3'

TOP DOWN

Side View

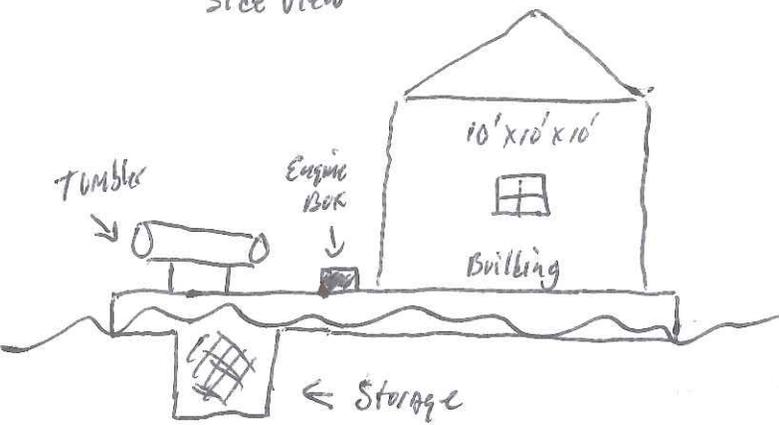


12'w



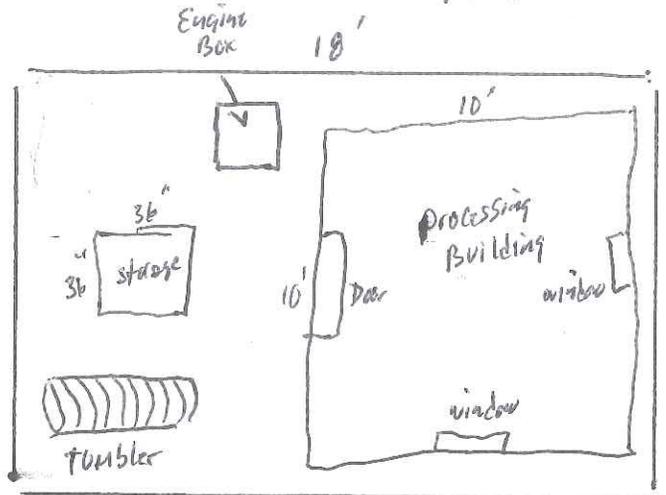
Shellfish Processing Raft 12' x 18' x 3' with Building 10' x 10' x 10' grey in color  
 Aluminum Tumbler 8' x 5' x 3' w/ grey engine box (3' x 3')

Side View



12'

TOP DOWN



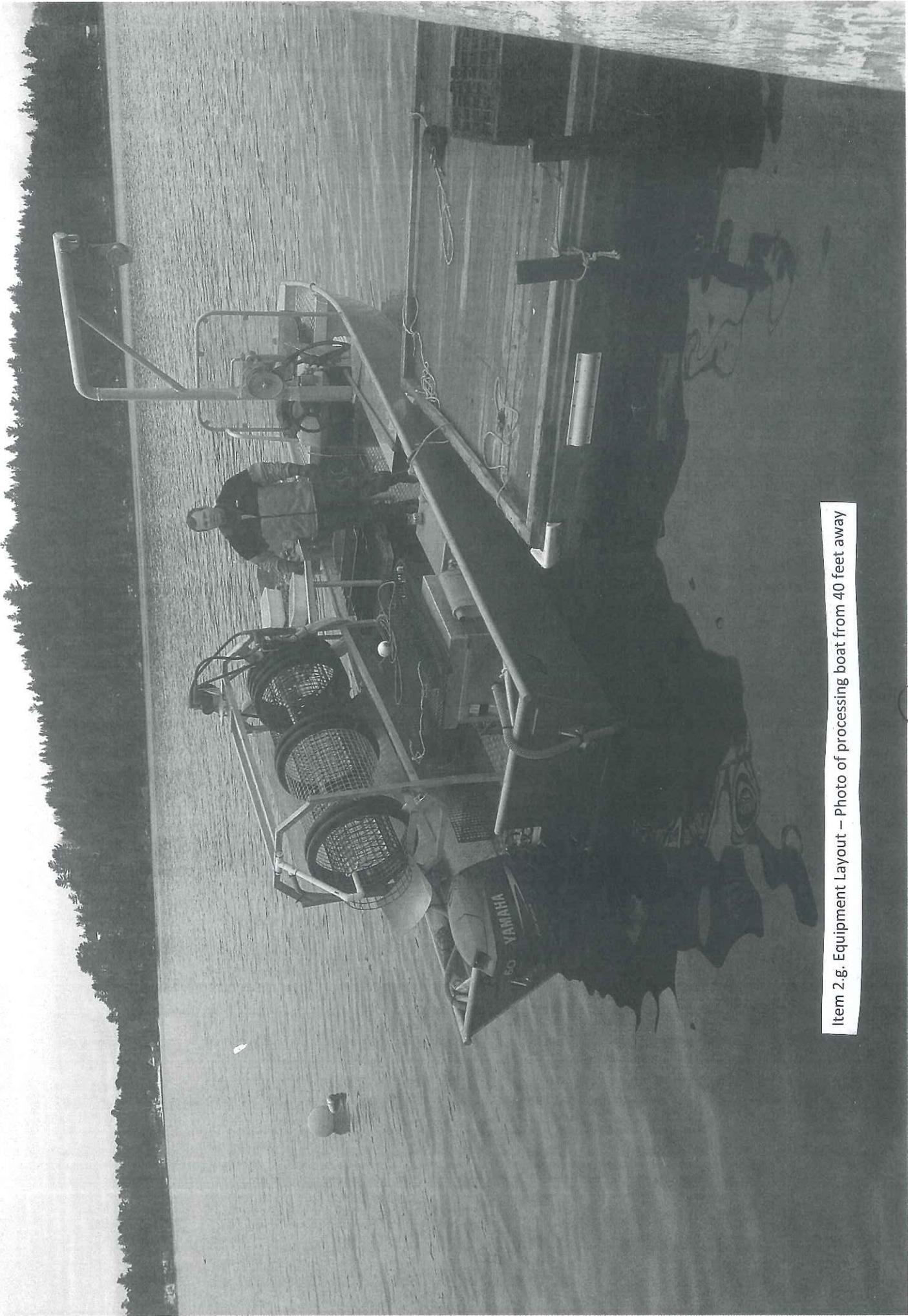
RAFT depth 3 feet. Wire Storage inserts 6' Deep + removable to default.

Exhibit #7

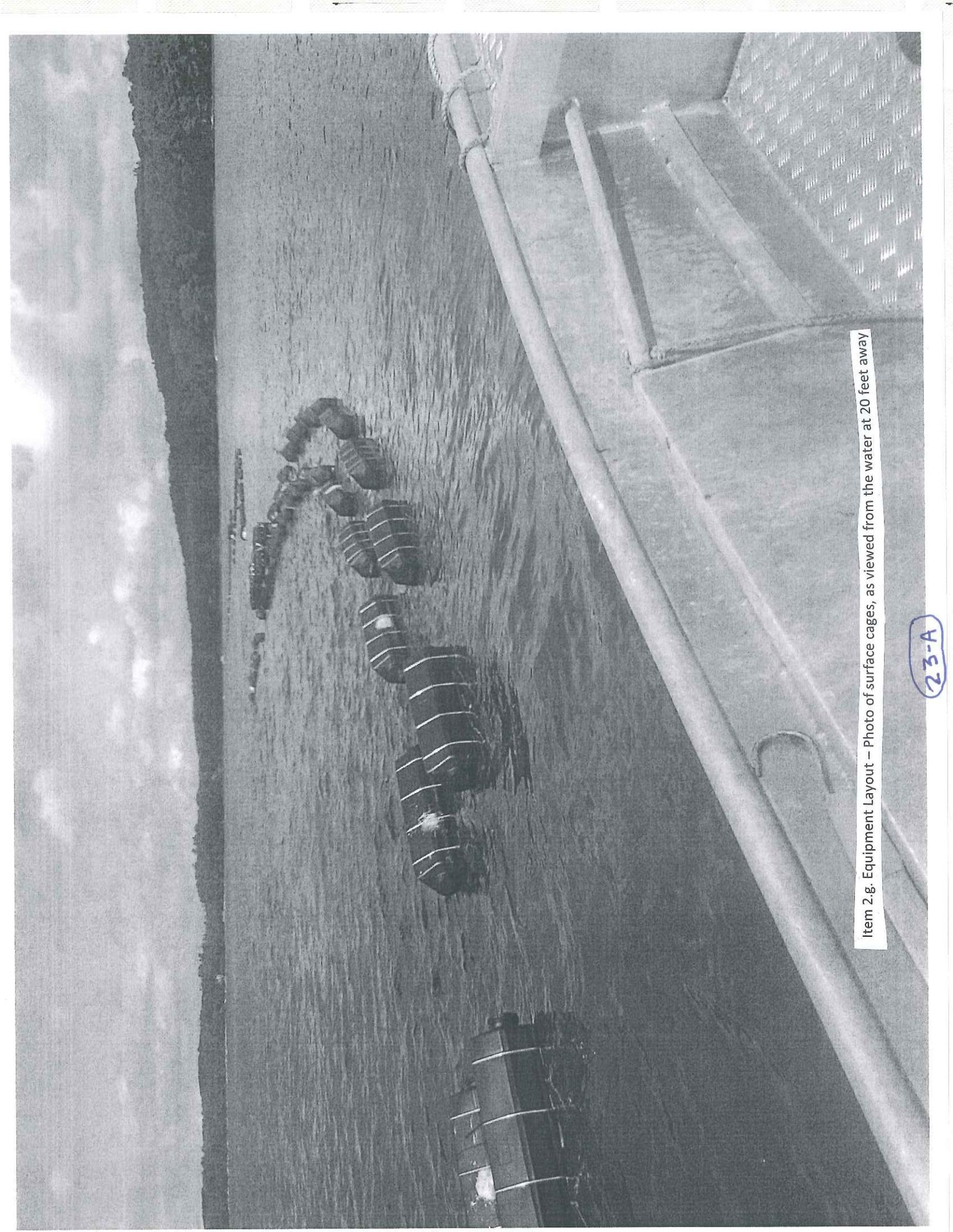
24' x 8'

Julia Roth - Processing boat

(new OCT 31 2012)



Item 2.g. Equipment Layout - Photo of processing boat from 40 feet away



Item 2.g. Equipment Layout – Photo of surface cages, as viewed from the water at 20 feet away

23-A

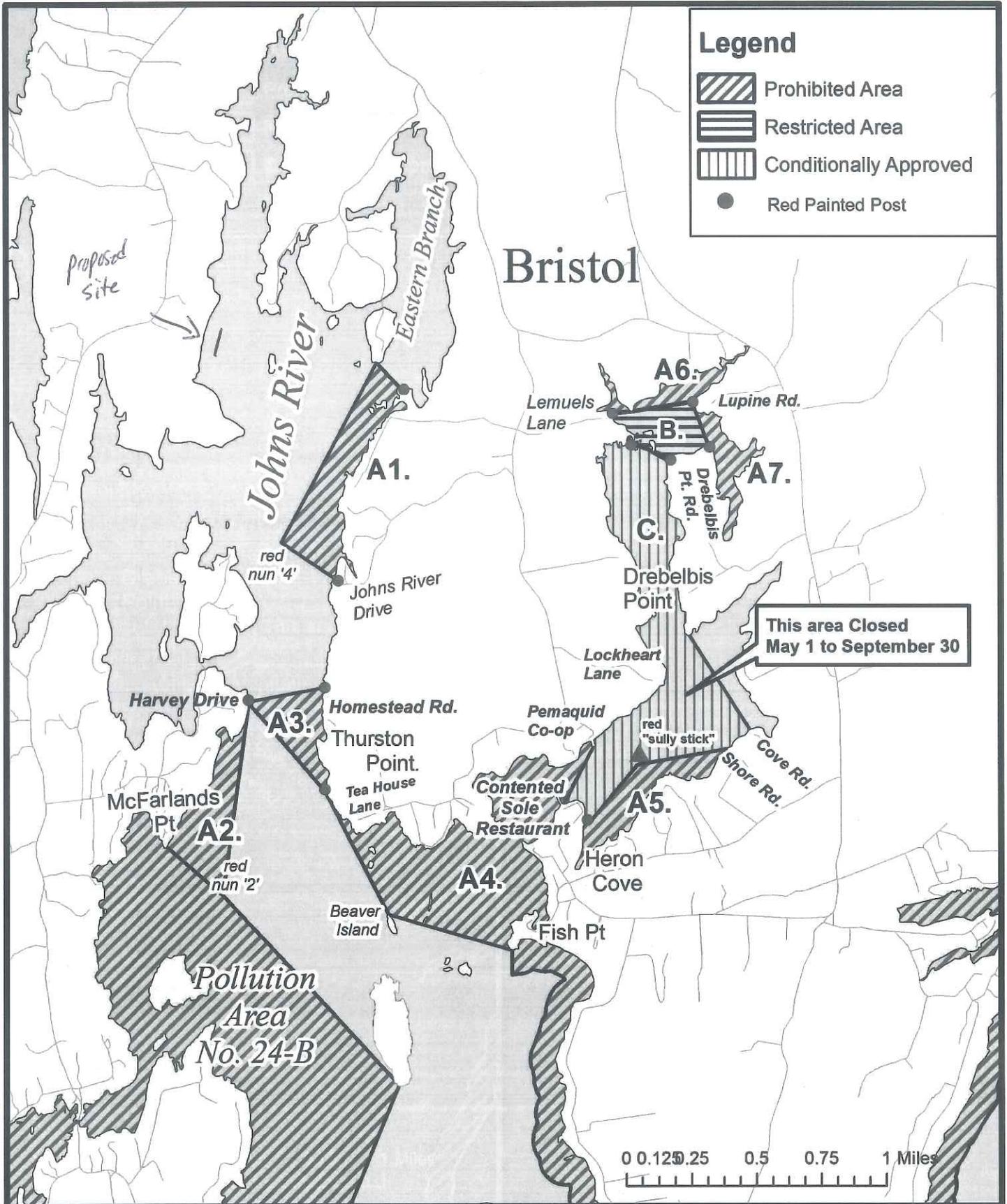


# Maine Department of Marine Resources

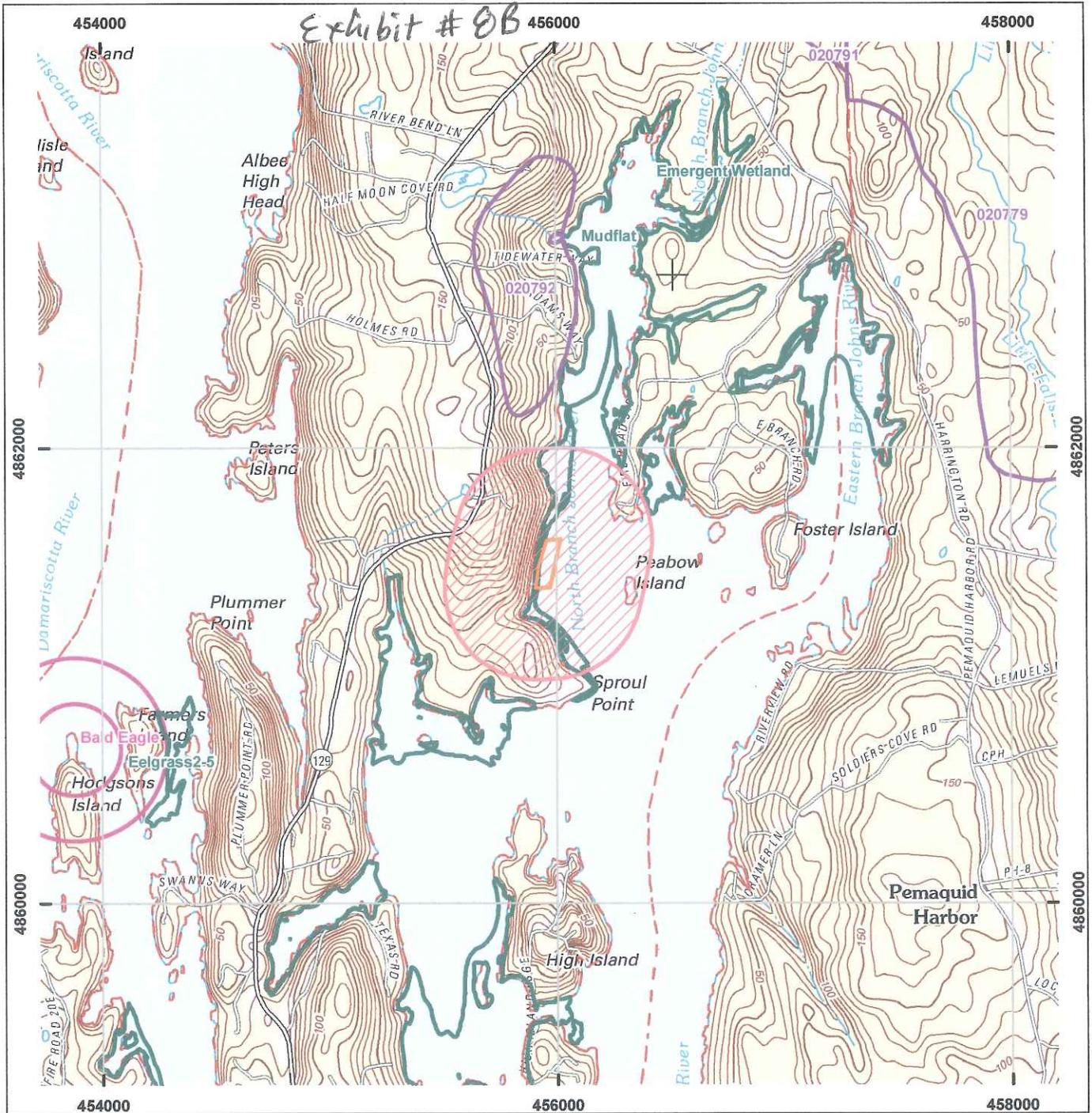
## Pollution Area No. 24-A Exhibit # 8A



### Johns River and Pemaquid River (South Bristol and Bristol) 4/3/2013

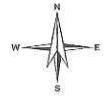


24



### Environmental Review of Fish and Wildlife Observations and Priority Habitats

Project Name: Johns River Shellfish Aquaculture site (Version 1)



Maine Department of Inland Fisheries and Wildlife



Projection: UTM, NAD83, Zone 19N

Date: 2/27/2013

	ProjectPoints		Deer Winter Area		Roseate Tern
	ProjectLines		LURC p-fw		Piping Plover/Least Tern
	ProjectPolys		Cooperative DWAs		Aquatic ETSc (2.5 mi review)
	ProjectSearchAreas		Seabird Nesting Islands		Rare Mussels (5 mi review)
			Shorebird Areas		A and B List Ponds
			Inland Waterfowl/Wading Bird		Arctic Charr Habitat
			Shoreland Zoning_lwwh		E. Brook Trout Joint Venture Subwatershed Classification
			Tidal Waterfowl/Wading Bird		Redfin Pickerel/Swamp Darter Habitats (buffer100ft)
			Significant Vernal Pools		Special Concern-occupied habitats(100ft buffer)
			Environmental Review Polygons		Wild Lake Trout Habitats





PAUL R. LePAGE  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF  
INLAND FISHERIES & WILDLIFE  
284 STATE STREET  
41 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0041

Exhibit # 9

CHANDLER E. WOODCOCK  
COMMISSIONER

February 27, 2013

Dave Cheney  
Johns River Shellfish, LLC  
1 Chickadee Road  
New Harbor, ME 04554

**RE: Information Request, Sproul's Cove Suspended Aquaculture Lease, Johns River, Bristol**

Dear David:

Per your request received February 26, we have searched current Department records for known occurrences of Rare, Threatened, and Endangered species, designated Essential and Significant Wildlife Habitats, and fisheries habitat concerns within the vicinity of the Sproul's Cove Suspended Aquaculture Lease site in Bristol. Findings for each category of protected resource are specified below.

*Rare, Threatened, and Endangered Species*

There are no Rare, Threatened, or Endangered species mapped at this site.

*Essential Habitat*

Currently, Essential Habitat is designated only for Piping Plovers, Least Terns, and Roseate Terns, all of which do not occur in this area.

*Significant Wildlife Habitat*

The mudflats along the shoreline have been mapped as high value Tidal Wading Bird and Waterfowl Habitat. We do not, however, expect this project to have a significant impact on the Wading Bird and Waterfowl Habitat present.

*Fisheries habitat concerns*

There are no inland fishery concerns for this project.

This consultation review has been conducted specifically for known MDIF&W jurisdictional features and should not be interpreted as a comprehensive review for the presence of all regulated features that may occur on site. Prior to the start of any future site disturbance we recommend additional consultation with the municipality, and other state resource agencies including the Maine Natural

Letter to David Cheney

Comments RE: Information Request, Sproul's Cove Suspended Aquaculture Lease, Johns River, Bristol

February 27, 2013

Page 2 of 2

Areas Program and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance.

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,

A handwritten signature in blue ink, appearing to read "Steve Walker", with a long horizontal flourish extending to the right.

Steve Walker  
Acting Environmental Review Coordinator



**West of Peabow Suspended & Bottom Lease**  
**Application**  
**by: Johns River Shellfish, LLC**  
**South Bristol Riparian's within 1000' of proposal**

Map 26 Lot 21

Sproul, Robert A., Jr. & Sigrid  
252 Pemaquid Harbor RD  
Pemaquid ME 04558

26-18

Walker John  
83 Ivy Street, Apt 41  
Brookline MA 02446

26-07-A

Robinson, John Jr.  
1329 State Route 129  
South Bristol, ME 04568

26-06

Poole, Carl, S., Jr.  
48 Kings Cove Lane  
South Bristol, ME 04568

26-05

Ingraham, Timothy  
PO Box 10  
Walpole, ME 04573

26-01-A

Sproul, Robert A., Jr.  
Bay Ridge Farm Trust  
252 Pemaquid Harbor RD  
Pemaquid, ME 04558

True Attested  
copy  
Annals Starri  
5/18/2015 Town Clerk

Exhibit # 12 A,

LIMITED LIABILITY COMPANY

Filing Fee \$50.00

File No. 20122923DC Pages 3  
Fee Paid \$ 50  
DCN 2121511400017 LNME  
FILED  
05/15/2012

STATE OF MAINE

CERTIFICATE OF AMENDMENT  
(for a Maine LLC)

*Julie R. Flynn*  
Deputy Secretary of State

A True Copy When Attested By Signature

Johns River Oyster, LLC  
(Name of Limited Liability Company)

Deputy Secretary of State

Pursuant to 31 MRSA §1532, the undersigned limited liability company executes and delivers for filing this certificate of amendment

**FIRST:** The name of the limited liability company has been changed to (if no change, so indicate)

Johns River Shellfish, 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:** The date of filing of the initial certificate of formation 3/16/12  
(date)

**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.

Exhibit # 12 B

DOMESTIC  
BUSINESS CORPORATION

STATE OF MAINE

ARTICLES OF AMENDMENT

Filing Fee \$50.00

File No 20001392 D Pages 1  
Fee Paid \$ 50  
DCN 2121511400019 LNME  
FILED  
05/15/2012

*Julie R. Flynn*  
Deputy Secretary of State

A True Copy When Attested By Signature

Deputy Secretary of State

David P. Cheney, Inc.  
(Name of Corporation)

Pursuant to 13 C M.R.S.A. §1604, the undersigned corporation executes and delivers the following Articles of Amendment

**FIRST:** The text of the amendment or the information required by 13 C M.R.S.A. §121.10 E as set forth in Exhibit \_\_\_\_\_ attached, was adopted on (date) May 9, 2012.

The amendment was duly approved as follows. ("X" one box only.)

- by the incorporators – shareholder approval was not required OR
- by the board of directors – shareholder approval was not required OR
- by the shareholders in the manner required by this Act and by the articles of incorporation

**SECOND:** If the amendment provides for an exchange, reclassification or cancellation of issued shares, provisions for implementing the amendment, if not contained in the amendment itself, are set forth in Exhibit \_\_\_\_\_ or as follows

**THIRD:** The effective date of the articles of amendment (if other than the date of filing of the articles of amendment) is \_\_\_\_\_

VOTED: To change the name: Johns River Oyster, Inc.

DATED May 9, 2012

\*By \_\_\_\_\_  
(signature of any duly authorized person)

Clayton M. Howard, Esq., Clerk  
(type or print name and capacity)

\*This document MUST be signed by any duly authorized officer OR the clerk (13-C M.R.S.A. §121.5)

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

SUBMIT COMPLETED FORMS TO: CORPORATE EXAMINING SECTION, SECRETARY OF STATE,  
101 STATE HOUSE STATION, AUGUSTA, ME 04333-0101

TEL. (207) 624-7752

DOMESTIC  
BUSINESS CORPORATION

STATE OF MAINE

COMMERCIAL CLERK

STATEMENT OF  
APPOINTMENT or CHANGE

Filing Fee \$35.00

File No 20001392 D Pages 1  
Fee Paid \$ 35  
DCN 2121511400018 CLRK  
FILED  
05/15/2012

*Jules R. Flynn*  
Deputy Secretary of State

A True Copy When Attested By Signature  
*Jules R. Flynn*  
Deputy Secretary of State

David P. Cheney, Inc.

(Name of Corporation as it appears on the records of the Secretary of State)

Pursuant to M.R.S.A. §§ 105 & 106, the undersigned corporation executes and delivers the following statement of appointment or change of a commercial clerk

FIRST: The name and address of the current clerk appearing on the record in the Secretary of State's office

David P Cheney

(name of current clerk)

1 Chickadee Road, New Harbor, ME 04555

(physical street address, city, state and zip code)

SECOND: The new CRA Public number is P10128

The name of the new CRA is Clayton N Howard, Esq.

THIRD: Pursuant to M.R.S.A. § 107-B, the clerk as listed above has consented to serve as the clerk for this corporation

FOURTH: Upon a change in commercial clerk, one of the following must be completed, ("X" one box only )

The change of commercial clerk was duly authorized by the board of directors of the corporation and that the power to appoint the commercial clerk is not reserved to the shareholders by the articles or the bylaws

The change of commercial clerk was duly authorized by the shareholders of the corporation

DATED May 9, 2012

\*By

*Clayton N Howard*  
(signature)

Clayton N Howard, Esq., Clerk (New)

(type or print name and capacity)

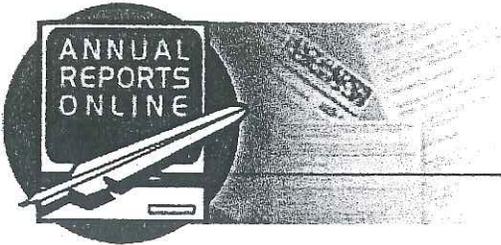
\*This statement MUST be signed by any duly authorized officer

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 UCC@corporations.sos.maine.gov

Exhibit #13



# MAINE

Department of the Secretary of State  
Bureau of Corporations, Elections and Commissions

### Single Annual Report Filing - Payment - Receipt

Thank you for using this Annual Report Online service. You have successfully filed your 2013 Annual Report for the following corporation. If you would like a copy of this Annual Report for your records at this time, you must use the link below to download and print a copy for your records or simply print this screen using the print option of your browser as your receipt of filing. Otherwise, once you leave this page, you will not be able to print a copy for your records.

Note: Your Annual Report will be available on our website within 24 hours of filing.

Charter Number	20001392 D
Legal Name	JOHNS RIVER OYSTER, INC.
Total Charge	\$ 85.00
Date of Filing	February 27, 2013
<a href="#">Begin a new filing transaction</a>	<a href="#">Download a copy of your filing in PDF format</a>

You will need Adobe Acrobat version 3.0 or higher in order to view the PDF file. If you encounter problems, visit the [troubleshooting page](#).



If you encounter technical difficulties while using these services, please contact the [Webmaster](#). If you have questions regarding the submission of an Annual Report, please contact the Reporting and Information Section at 207-624-7752.

Division of Corporations  
Reporting and Information Section  
101 State House Station  
Augusta, ME 04333-0101

COMMON STOCK

CERTIFICATE



For One Hundred (100) Shares  
Issued to

David P. Cheney

File ID # 010532007

Dated January 26, 2000 ✓

FROM WHOM TRANSFERRED

Dated

No. ORIGINAL  
CERTIFICATE

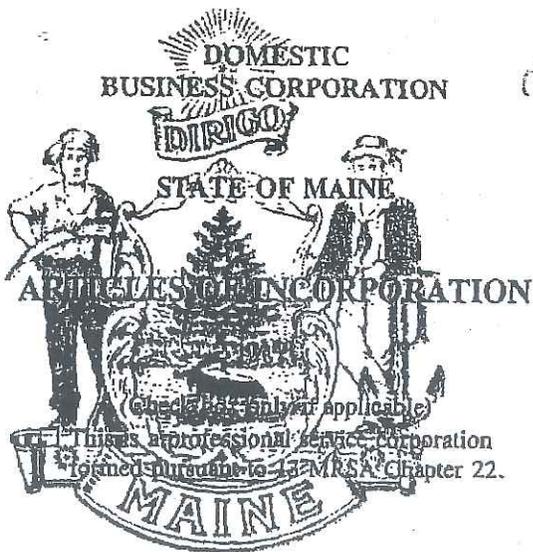
No. ORIGINAL  
SHARES

No. OF SHARES  
TRANSFERRED

Received Certificate No.

For Shares

this day of



Minimum Fee \$105. (See §1403 sub-§§1 and 2)

File No. 20001392 D Pages 3  
 Fee Paid \$ 105  
 DCN 2000271500034 ARTI  
 FILED  
 01/26/2000

*Julie R. Flynn*  
 Deputy Secretary of State

A True Copy When Attested By Signature

*Julie R. Flynn*  
 Deputy Secretary of State

Pursuant to 13-A MRSA §403, the undersigned, acting as incorporator(s) of a corporation, adopt(s) the following Articles of Incorporation:

**FIRST:** The name of the corporation is David P. Cheney, Inc.  
 and its principal business location in Maine is 1548 Bristol Road, Bristol, ME 04539  
(physical location - street (not P.O. Box), city, state and zip code)

**SECOND:** The name of its Clerk, who must be a Maine resident, and the registered office shall be:  
David P. Cheney  
(name)  
1548 Bristol Road, Bristol, ME 04539  
(physical location - street (not P.O. Box), city, state and zip code)  
(same)  
(mailing address if different from above)

**THIS FORM MUST BE ACCOMPANIED BY FORM MBCA-18A (Acceptance of Appointment as Clerk §304.2-A.).**

**THIRD:** ("X" one box only)

A. 1. The number of directors constituting the initial board of directors of the corporation is \_\_\_\_\_ (See §703.1.A.)

2. If the initial directors have been selected, the names and addresses of the persons who are to serve as directors until the first annual meeting of the shareholders or until their successors are elected and shall qualify are:

NAME	ADDRESS
_____	_____
_____	_____
_____	_____

3. The board of directors  is  is not authorized to increase or decrease the number of directors.

4. If the board is so authorized, the minimum number, if any, shall be \_\_\_\_\_ directors, (See §703.1.A.) and the maximum number, if any, shall be \_\_\_\_\_ directors.

B. There shall be no directors initially; the shares of the corporation will not be sold to more than twenty (20) persons; the business of the corporation will be managed by the shareholders. (See §701.2.)

MINUTES

A meeting of the incorporators of David P. Cheney, Inc. was held on January 24, 2000 at the offices of Tupper & Tupper P. A., 104 Townsend Avenue, Boothbay Harbor, Maine.

Present were: David P. Cheney, sole incorporator

It was VOTED to proceed with the organization of a Maine corporation under Title 13-A MRSA, for the following purposes:  
commercial fishing

It was VOTED that the affairs of the corporation be handled by the shareholders, and that there will be no directors.

It was VOTED that there will be 100 shares of common stock with no par value.

It was VOTED that the stock certificates be issued to shareholders when the stock certificate book is prepared. Shares shall be signed by the President and Treasurer.

It was VOTED to accept the By-Laws attached to these minutes.

The following were duly elected as officers of the corporation:

President	David P. Cheney
Treasurer	David P. Cheney
Clerk	David P. Cheney

It was VOTED to prepare Articles of Incorporation as required by the Secretary of State, State of Maine, for approval.

Voted to adjourn.

A TRUE RECORD:

Attest,

date: 2/28/2000

David P. Cheney  
David P. Cheney, Clerk

BY-LAWS

- ARTICLE 1. The corporation shall be known as David P. Cheney, Inc.
- ARTICLE 2. The purpose of said corporation is as follows:  
commercial fishing
- ARTICLE 3. There shall be no Board of Directors and the affairs of the corporation shall be managed by the shareholders. Officers shall consist of a President, Treasurer and Clerk. More than one office may be held by one individual.
- ARTICLE 4. The corporation shall not have a seal.
- ARTICLE 5. There shall be one class of shares, all common without par value. Total authorized shares shall be one hundred (100). All stock certificates shall be signed by the President and Treasurer.
- ARTICLE 6. The annual meeting shall be on the third Monday in February or within thirty days thereafter.
- ARTICLE 7. The Treasurer is authorized to sign all checks, drafts or orders for deposit or withdrawal. All loans and advances on behalf of the corporation shall be applied for by the President and Treasurer, and all promissory notes and other evidences of indebtedness must be signed by said President and Treasurer .
- ARTICLE 8. These by-laws may be amended or changed at any duly called meeting with the approval of the shareholders.
- ARTICLE 9. All other affairs of the corporation shall be managed in accordance with the Maine Business Corporation Act, Title 13-A M.R.S.A.

A TRUE COPY:

date: 2/28/2000

Attest,

David P. Cheney  
David P. Cheney, Clerk