

NATURAL RESOURCES PROTECTION ACT – TIER 3
INDIVIDUAL PERMIT APPLICATION

OF

MARINA EXPANSION

FOR



SAFE HARBOR
— **ROCKLAND** —

JULY 2, 2021

PREPARED BY:



LANDMARK CORPORATION

SURVEYORS & ENGINEERS

135 ROCKLAND STREET
ROCKPORT, MAINE 04856
(207) 236-6757

IN COOPERATION WITH:



Note: In addition to the required copies sent to Maine DEP, a copy of this application has been sent directly to:
U.S. Army Corps of Engineers' Maine Project Office
Maine Historic Preservation Commission
City of Rockland

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→ PLEASE TYPE OR PRINT IN **BLACK INK ONLY**

1. Name of Applicant:	SHM Rockland, LLC		5 Name of Agent: (if applicable)	Michael J. Sabatini, P.E. Landmark Corporation	
2. Applicant's Mailing Address:	56 New County Road Rockland, Maine 04841		6 Agent's Mailing Address:	135 Rockland Street Rockport, Maine 04856	
3. Applicant's Daytime Phone #:	207-236-8100		7 Agent's Daytime Phone #:	207-236-6757	
4 Applicant's Email Address Required from either applicant or agent:	William Morong wmorong@shrmrinas.com		8. Agent's Email Address:	mike@landmarkmaine.com	
9. Location of Activity: (Nearest Road, Street, Rt.#)	Rockland Harbor, Ocean Street		10. Town:	Rockland	11. County: Knox
12A. Significant Groundwater well?	<input type="checkbox"/> Yes OR <input checked="" type="checkbox"/> No				
12. Type of Resource: (Check all that apply)	<input type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input checked="" type="checkbox"/> Coastal Wetland <input type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain		13. Name of Resource:	Rockland Harbor on the Penobscot Bay	
			14. Amount of Impact: (Sq.Ft.)	Fill: 235 sf (direct) Dredging/Veg Removal/Other: 23,880 sf (indirect) 138,000 sf dredge.	
15. Type of Wetland: (Check all that apply)	<input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input type="checkbox"/> Open Water <input type="checkbox"/> Other _____		FOR FRESHWATER WETLANDS		
			Tier 1	Tier 2	Tier 3
		<input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft <input type="checkbox"/> 10,000-14,999 sq ft.	<input type="checkbox"/> 15,000 – 43,560 sq. ft.	<input type="checkbox"/> > 43,560 sq. ft. or <input checked="" type="checkbox"/> smaller than 43,560 sq ft., not eligible for Tier 1	
16. Brief Activity Description	Marina expansion including dredging, floats, piles and small landward pier extension.				
17. Size of Lot or Parcel:	<input type="checkbox"/> _____ square feet, or <input checked="" type="checkbox"/> 4.78 acres		NAD83 Northing: 158618.14 NAD83 Easting:825257.28		
18. Title, Right or Interest:	<input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement				
19. Deed Reference Numbers:	Book#: 5663	Page: 224	20. Map and Lot Numbers:	Map #:5 (part of)	Lot #:B13
21. DEP Staff Previously Contacted:	Jami MacNeil		22. Part of a larger project:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	After-the-Fact: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
23. Resubmission of Application?	<input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No	If yes, previous application #	Previous project manager:		
24. Written Notice of Violation?	<input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No	If yes, name of DEP enforcement staff involved:		25. Previous Wetland Alteration:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
26. Detailed Directions to the Project Site:	Take Rte.17 to N. Main Street in Rockland. Take right onto Rte. 1 south, go left on Park St., go right on Main St., left on Water St., and left on Ocean St., the project is on the left just before Scott St.				
27. TIER 1		TIER 2/3 AND INDIVIDUAL PERMITS			
<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input type="checkbox"/> Narrative Project Description <input type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input type="checkbox"/> Photos of Area <input type="checkbox"/> Statement of Avoidance & Minimization <input type="checkbox"/> Statement/Copy of cover letter to MHPC		<input checked="" type="checkbox"/> Title, right or interest documentation <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Copy of Public Notice/Public Information Meeting Documentation <input checked="" type="checkbox"/> Site Conditions Report (Attachment 9) <input checked="" type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized		<input checked="" type="checkbox"/> Erosion Control/Construction Plan <input checked="" type="checkbox"/> Functional Assessment(Attachment 12), if required <input type="checkbox"/> Compensation Plan (Attachment 4), if required <input checked="" type="checkbox"/> Appendix A and others, if required <input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required	
28. FEES, Amount Enclosed:	\$434+\$109=\$543				

CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2

IMPORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT.

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following :

DEP SIGNATORY REQUIREMENT

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor a permit be issued.

CORPS SIGNATORY REQUIREMENT

USC 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. I authorize the Corps to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

DEP SIGNATORY REQUIREMENT

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."

 AS AGENT

 SIGNATURE OF AGENT/APPLICANT

Date: 7-2-21

NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

TITLE, RIGHT, OR INTEREST

WARRANTY DEED
KNOX COUNTY REGISTRY OF DEEDS
BOOK 5663 PAGE 224

CERTIFICATE OF GOOD STANDING

LETTER OF AGENT AUTHORIZATION

Receipt # 123829 KNOX SS: RECEIVED
VOL 5663 PG 224
ERECORDED 01/04/2021 08:52:11 AM
3 Pages
Instr # 2021-27
ATTEST: Madelene F. Cole, Knox Co Registry of Deeds

Real Estate Transfer Tax Paid

**QUITCLAIM DEED
With Covenant
Corporate Grantor**

KNOW ALL MEN BY THESE PRESENTS

THAT **ROCKLAND HARBOR PARK, LLC**, a Delaware limited liability company having a place of business located in the City of Rockland, County of Knox, State of Maine, in consideration of One Dollar (\$1.00) and other valuable consideration paid by **SHM ROCKLAND, LLC**, a Delaware limited liability company with a place of business in the City of Rockland, County of Knox, State of Maine, whose mailing address is c/o Safe Harbor Marinas, 14785 Preston Road, Suite 975, Dallas, TX 75254, the receipt of which it does hereby acknowledge, does hereby **remise, release, bargain, sell and convey**, and forever **quitclaim** with Warranty Covenants unto the said **SHM ROCKLAND, LLC**, a Delaware limited liability company, its successors and assigns forever, a certain lot or parcel of land, together with any improvements thereon, situated in Rockland, County of Knox and State of Maine, and being more particularly bounded and described as follows:

SEE ATTACHED EXHIBIT A

IN WITNESS WHEREOF, the said Rockland Harbor Park, LLC has caused this instrument to be signed by STUART G. SMITH, its Member, thereunto duly authorized, this 30 day of December, 2020.

Signed, sealed and delivered
in the presence of

ROCKLAND HARBOR PARK, LLC,
a Delaware limited liability company

Witness

By: [Signature]
STUART G. SMITH, Member
MANAGER

STATE OF MAINE
COUNTY OF KNOX, ss.:

December 30, 2020

Then personally appeared before me the above-named Stuart G. Smith and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

[Signature]
Notary Public
Mark A. Cousay