



State of Rhode Island  
**Coastal Resources Management Council**  
Oliver H. Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900

(401) 783-3370  
Fax (401) 783-2069

## **PUBLIC NOTICE**

File Number: 2004-05-024 Modification Date: April 15, 2024

This office has under consideration the application of:

John & Cindy West  
Cedar Island Oyster Co  
5 Plantation Drive  
Saunderstown, RI 02874

for a modification of a State of Rhode Island Aquaculture Assent to: add five trawls of one-hundred submerged bottom cages (9" high by 22.5 wide by 36" long) within a three-acre area portion of the fifteen and a half-acre existing lease. Each trawl line will be marked at the end with one five-inch black buoy and no additional surface gear is proposed. Further details and plans of the proposed work are attached to this notice.

Project Location:	Point Judith Pond
City/Town:	Narragansett
Waterway:	Point Judith Pond

Plans of the proposed work can be found attached to this notice or can be requested at [Cstaff1@crmc.ri.gov](mailto:Cstaff1@crmc.ri.gov).

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (**with your correct mailing address, e-mail address and valid contact number**) and be received at this office on or before May 15, 2024.

Please email your comments/hearing requests to: [cstaff1@crmc.ri.gov](mailto:cstaff1@crmc.ri.gov); or mail via USPS to: Coastal Resources Management Council; O. S. Government Center, 4808 Tower Hill Road, Rm 116; Wakefield, RI 02879.



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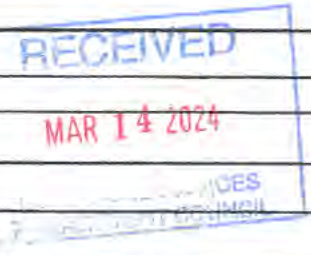
## REQUEST FOR ASSENT MODIFICATION

Assent/Permit Number: B 2004-05-024 (including extensions) Expiration Date: 8/2024  
 Name of Assent Holder: John & Cindy West Cedar Island Oyster Company  
 Location of Project: Point Judith Pond  
 City/Town: Narragansett, RI Plat: \_\_\_\_\_  
 Lot: \_\_\_\_\_

Name of Present Owner: John and Cindy West  
 Mailing Address: \_\_\_\_\_  
 City/Town: Saunderstown State: RI  
 Zip: 02874  
 Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_  
 Abutters: \_\_\_\_\_

I hereby certify that the names and addresses of adjacent property owners whose property adjoins the project site are accurate and current as of the date of application. If said names and addresses are found to be not accurate and/or current, any subsequent Assent may become Null and Void. Signed: \_\_\_\_\_

Describe the proposed modification(s): \_\_\_\_\_  
 Reason: \_\_\_\_\_  
 What state of construction is the project in: \_\_\_\_\_



John West John West \_\_\_\_\_ Cynthia West  
 Owner Name (PRINT) Cynthia West Owner's Signature (SIGN)

Note: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible adhered to the policies and standards of the program. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. The filing of false information can result in the Coastal Resources Management Council revoking State Assent. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall be access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to penalties of perjury. 5/00


March 14, 2024

Dear Respected Council Members,

In this modified lease proposal, we are not requesting any additional space. Rather, we are asking for permission to install trawl lines (much like a lobster trawl) with low profile (9" off of the bottom) wire oyster cages connected to the trawl line, every 5 feet, by a gangion. The oyster cage will be 9" high by 22.5" wide by 36" long (see exhibit A). Each cage will contain two (2) 3' long Intermans oyster grow out bags (see exhibit B).

The best available oyster wire to make cages with is 4.5" by 4.5" mesh size, hence the 9" high profile. This size wire allows maximum flow, verses 2" or 3" wire. This layout is very similar to our lease which is east of Beach Island (CRMC 2004-02-025). The main difference is less buoys (only 5) and cages which will be much smaller (9" profile). Given the depth of water in that area, the low profile will not impede navigation in that area.

#### Cedar Island Oyster Company Lease Modification Operations Plan

1. Name and mailing address:  
Cedar Island Oyster Company  
Owned and operated by  
John and Cindy West  

2. CRMC file number:  
CRMC #B 2004-05-024
3. DEM Aquaculture License number:  
DEM Aquaculture License #000056
4. Type of facility:



Commercial lease site to grow out Eastern Oysters (*C. Virginica*) via bottom culture.  
Shellfish are harvested by dredge and bull rake.

5. Location of facility:

- a. Point Judith Pond, Area 10 PJ
- b. 41' 24.123 N / 71' 30.399 W
- c. All other coordinates on file under lease agreement.

Our oyster packing facility is located at:

Ocean State Shellfish Coop  
20 Walt's Way  
Narr., RI 02882

6. Species of Shellfish:

Growing primarily Eastern American Oyster (*Crassostrea Virginica*)

7. Types of Structures, Gear, and Methods:

We use only bottom culture. "Free plant" oysters directly on the bottom.

Modification: Oysters to be grown in low profile oyster cages containing Intermas oyster grow out bags attached to trawl lines.

8. Plan for how the site will be built out, accessed, and maintained:

The trawl lines will be set on auger anchors. We will access them from our boat, and using them daily, we will be able to assess any maintenance issues that may arise.

9. Methods and Equipment used to identify and mark site:

We employ yellow PVC Spar buoys to indicate the corners of the farm. On each corner marker is our CRMC assent number (in 3" lettering), as well as a message of: "No Anchoring or Shellfishing".

10. DEM Shellfish Harvesting Classification

11. Practices and Procedures used:

a. Growth

i. We start our 2mm seed in registered upweller system which we purchase from RI Biosecurity Board approved hatcheries. We notify CRMC prior to shipment. We have a strong history for using optimal shellfish management practices.

ii. We have purchased a variety of sized seed. As an example, our approved seed is purchased at 3/8", which goes directly into 4mm bags onto separate approved CRMC sites #2001-02-025, and, #2001-02-026, for further grow out.

iii. We keep detailed records of all oyster purchases and husbandry practices of each year class on waterproof paper. All of our oyster cages are marked with a numbered tag. We intend to use this same technique on our low profile cages as well.

iv. Oysters purchased in a given year will spend one winter in our cages (B 2007-02-025) before being bottom planted on our dredge lease (CRMC 2004-05-024).

v. We dredge and cull out the market sized oysters for shipment. The sub market oysters will be put back onto the bottom "free plant" lease for continued grow out.

b. Harvest

i. Our dredged market sized oysters spend at least 7 days or more, after harvest, in cages on lease # 2001-02-025. This allows them to filter out any debris.

ii. Harvest day consists of going out in the morning and pulling our clean market oysters and putting them in fish totes. In the warm temperature months, we then put ice on top of each loaded tote. We then take them to our processing facility at 20 Walts Way, Narr. (less than 2 miles away) where they are moved into the walk-in cooler, prior to packing and shipment. All of these steps are in accordance with the requirements of keeping the oyster at 50\* (degrees) or less. Sometimes, we utilize a refrigerated truck. We primarily use RI Health Dept. approved ice, as the coop facility has a large ice machine as well as a 20' by 30' walk - in cooler.

Our Coop facility at Walts Way follows all RI Health Dept and FDA protocols. If you check with either or both of these departments, you will find that we have a stellar health record, which is important to us, and of which we take pride in.

12 Floating gear



not applicable

13. Projected per unit area yield / applicants capability

There will be five (5) strings of lines, each with an overall length of 500'. Each line will be sectioned off into five (5) 100' "trawl" line length sections. Each trawl line will have 20 oyster cages attached. The trawl lines will be secured every 100' with one (1) 5' galvanized anchor screwed into the muddy bottom to prevent movement of any gear. A small, black, 5" buoy (see exhibit C) will be attached only at the south side of the line. Therefore, 1 buoy will mark each 500' overall length, running from South to North with an auger anchor every 100' (see exhibit D).

The five (5) 500' long trawl lines, which will be set in a west to east direction (see exhibit E), will yield a total of 500 cages / 1000 oyster bags / 225,000 oysters. The only visible difference other than the current array of corner and boundary line markers, will be five (5) 5" black buoys on the southern side of the lease.

14. Plan for safety and security of equipment / storm preparedness and response plan:

The gear will be attached to the bottom with 5' auger anchors. Historically, on our existing lease area, we have had no issues with becoming dislodged, including during adverse weather. The trawl line will be attached such that there will be minimal movement or slack in the line. This has proven affective in the instance of storm conditions.

15. Maintaining records:

We keep detailed records of all oyster purchases and husbandry practices of each year class on waterproof paper. All of our oyster cages are marked with a numbered tag. We intend to use this same technique on our low profile cages as well.

16. Maintaining records / upwellers in prohibited waters:

Prior to receiving seed, we confirm that a seed disease certification was sent to CRMC.

We use waterproof paper to record each batch of seed as it is introduced into an upweller, including its size, from where it originated, and the count. Each time that we thin (temperature dependent, as per growth rate) we continue to record this same information, thus, keeping a necessary record of what product we have, and where it is

located. The seed generally leaves the upweller system around the size of 3/8". The upweller raft is usually emptied and shut down by the end of June.

The seed is then moved into approved CRMC lease site.

17. Maintaining records:

All oysters are grown in numbers cages, on numbered trawl lines, in approved waters. We maintain a notebook of waterproof paper, indicating, for each cage, from where the seed originated and when. Each time we thin the bag of oysters, we indicate the date it was thinned, and its size, in addition to the original origin information.

Our reason for applying for this modification is to improve the overall commercial viability of our oyster farm. We have been farming oysters on this site for over 25 years.

1. Increase survival rate of our bottom planted crop. Our experience shows a much better survival rate in oysters grown slightly off of the bottom in oyster bags.

2. Milder winters have proven detrimental to predator abundance and activity of these predators has become extended throughout the year. In past years, as a grower, we would expect a crab (ie. blue crab, spider crab, asian fiddler crab, green crab) to be dormant November through mid April. This anticipated dormancy is no longer the case. Over the years, warmer water has definitively increased the blue crab population, which can decimate oyster populations. A major predator, Cownose Ray (*Rhinoptera bonasus*) is said to be increasing in population and currently can be found in large numbers, just to our south, in New Jersey. With the warming of our waters, it is just a matter of time before this ray is causing substantial, perhaps catastrophic, difficulties in our waters. Therefore, we anticipate that "free planted" bottom shellfish, will suffer greatly. If oysters were secured in cages and bags, this threat would be significantly decreased.

3. With increased water temperatures, seaweed and algal growth has proliferated, causing suffocation by creating a mat (of sorts) on top of the oysters and clogging our dredge with much higher frequency (see exhibit F), making it harder for us to depend upon our bottom



planted oysters as remaining viable. The types of seaweed we are referring to is Gracilaria sp. and the red algae, which we have not yet identified (see exhibit F).

4. Over the years several different persons have been caught poaching our oysters directly from the bottom planting lease. Securing our oysters in cages and bags will make this more difficult and less tempting.

5. Increased survival will allow us to keep our existing employees as well as potentially hiring a few new ones. Our farm is involved with the Education Exchange in Peacedale, RI, where we participate in a 4 week course in aquaculture. This program offers opportunities for many RI oyster farmers to secure employment. We have plans to be involved with Chariho High School marine program this April 2024.

6. The bottom area that we are requesting contains no eelgrass or other valuable habitat. The bottom is soft mud which seemingly becomes softer with the increased algal growth and subsequent die off of algae due to low oxygen. This dead algae sinks to the bottom and creates unfavorable shellfish conditions.

## Category

### Requirements

1. Demonstrate the need for the proposed activity or alteration.
  - The need for the proposed modification to the oyster farm is described in the previous pages.
2. Demonstrate that all applicable local zoning ordinances, building codes, flood hazard standards, and safety codes, fire codes, and environmental requirements have or will be met: local approvals are required for activities as specifically prescribed for non tidal portions of a project in Sections 1.3.1 (B,C,F,H,I,K,M,O, and Q) of this part; for projects on state land, the state building official.
  - This is not applicable to our application.
3. Describe the boundaries of the coastal wavers and land area that is anticipated to be affected.
  - Latitude / Longitude coordinates and size of farm : 15.5 acres.

CRMC # 2004-05-024

(see exhibit G and H)



NW buoy	41*24.129'N	71*30.530'W
SW buoy	41*24.024N	71*30.529'W
Center N buoy	41*24.124'N	71*30.399'W
NE buoy	41*24.110'N	71*30.290'W
SE	41*24.024'N	71*30.255'W

The four corners that would have 5 trawl lines with cages on bottom

NW buoy	41*24.129'N	71*30.530'W
SW buoy	41*24.024N	71*30.529'W
NE buoy	41*24.129'N	71*30.480'W
SE buoy	41*24.024N	71*30.490'W

This will be a total of 3 acres.

4. Demonstrate that the alteration or activity will not result in significant impacts on erosion or deposition processes along the shore and in tidal waters.

- Shellfish aquaculture has never shown any evidence of impact on erosion or disposition in tidal waters.

5. Demonstrate that the alteration or activity will not result in significant impacts on the abundance or diversity of plant and animal life.

- It has been well documented that shellfish aquaculture, especially oyster bags and cages, provide fish habitat. There will only be a positive impact on plant and animal life.

6. Demonstrate that the alteration will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of, tidal waters and / or the shore

- The shellfish bags only being 9" maximum off the bottom will not impact any navigation or use of tidal waters. There will still be at least 5' - 7' of water above the oyster bags for boats to travel over.

7. Demonstrate that the alteration will not result in significant impacts to water circulation, flushing, turbidity, and sedimentation.

- The low profile bags on the bottom will not significantly impact any water, circulation, flushing, turbidity, or sedimentation.



8. Demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM.

- It has been documented that 1 individual oyster can filter up to 50 gallons of water a day. Oysters are believed to increase water quality.

9. Demonstrate that the alteration or activity will not result in significant impacts to areas of historic and archaeological significance.

- There is no archaeological significance to this area.

10. Demonstrate that the alteration or activity will not result in significant conflicts with water dependent users and activities such as recreational boating, fishing, swimming, navigation, and commerce.

- The oyster bags will be raised just off of the bottom, and will not change any navigation, swimming, boating or fishing activities. We have had very good relations with Camp Fuller Sailing program as well as with URI sailing team over the years. That is not expected to change.

11. Demonstrate that measures have been taken to minimize any adverse scenic impact.

- We made the decision to minimize the visual impact by employing one (1) single 5" black buoy per 500' length of trawl line.

Additional requirement:

1. Describe location and size.

- Location has been identified in previous pages.

2. Identify the species to be managed or cultivated within the permitted area and over which the applicant shall have exclusive right.

- Eastern Oyster (*Crassostrea Virginica*)

3. Describe the method or manner of management, or cultivation to be utilized, including whether the activities proposed are experimental, commercial, or personal use.

- The commercial oyster farm has been commercially harvesting oysters since 1994.

However, the proposed modification is an experiment to try safeguard our existing crop.

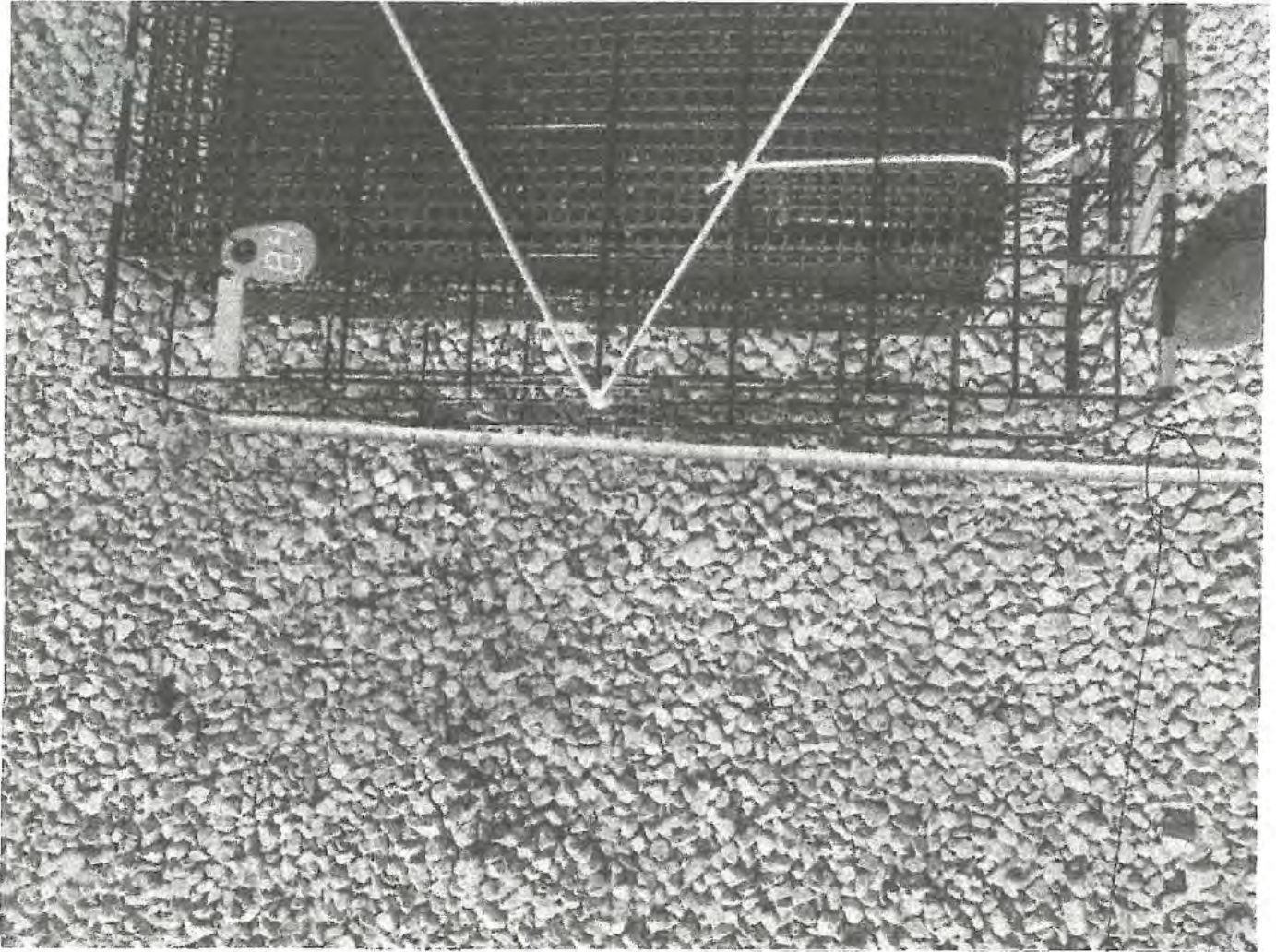
Provide such other information as may be necessary for the council to determine.

A. The compatibility of the proposal with other existing and potential uses of the area and areas, including navigation, recreation, and fishing.

- Previously answered.

- B. The degree of exclusivity required for aquaculture activities on the proposed site.
- The established oyster farm is not exclusive to Aquaculture as described in previous questions.
- C. The safety and security of equipment, including appropriate marking of the equipment and or lease area.
- As described in previous questions, the lease is marked with PVC spar buoys to indicate the farms' corners.
- D. The projected per unit area yield of harvestable product.
- A total of 500 9" by 22.5" by 36" oyster cages.
- E. The cumulative impact of a particular aquaculture proposal in an area, in addition to other agriculture operations already in place.
- There will be no cumulative impact on the area or any other agriculture operations nearby.
- F. The capability of the applicant to carry out the proposed activities.
- As operators then owners for the past 30 years, where it has been our sole method of income, we have been successful in our stewardship of the leases in the field of aquaculture.
- G. The impact of the proposed activities on the scenic qualities of the area.
- There will be minimal impact on the scenic qualities, given the five (5) small black buoys added that are not likely to be visible from the shore.





tape measure reads ~~30~~"  
36

Exhibit A

Cages are 9" x 22 1/2" x 36"

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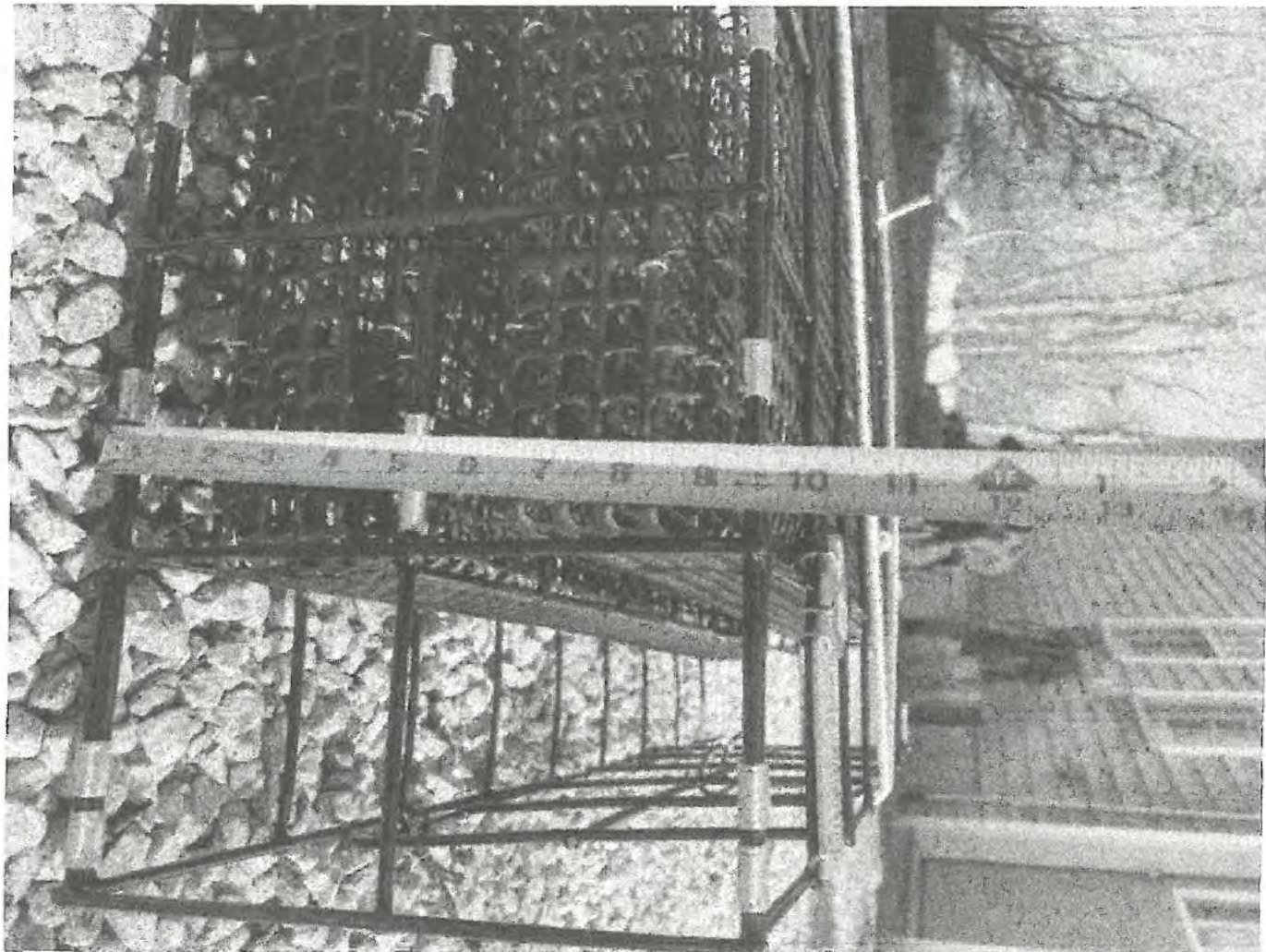
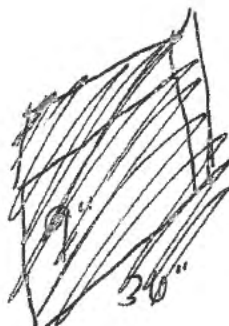
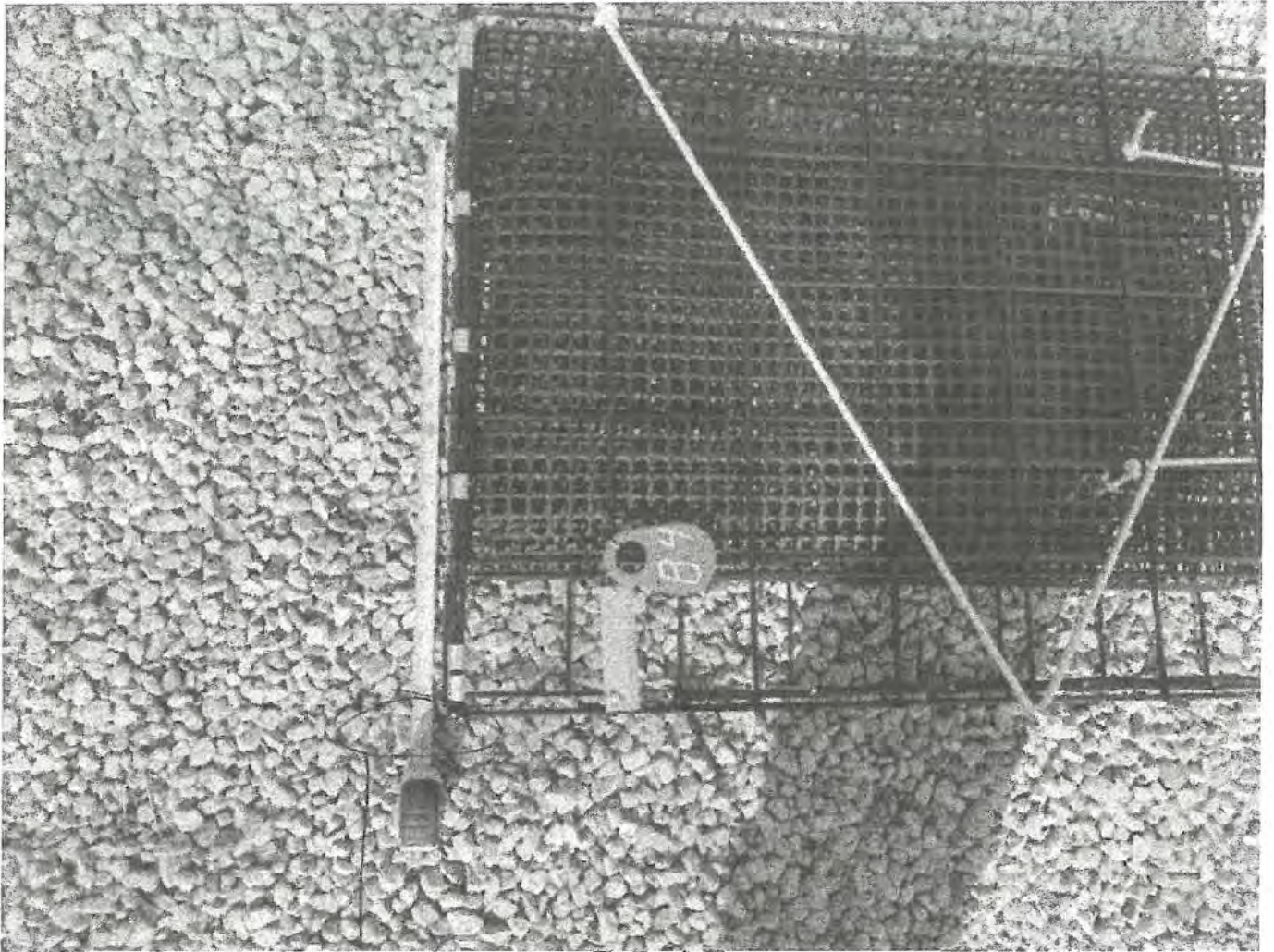


Exhibit A



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MANAGEMENT COUNCIL



tape measure reads 23"

Exhibit A

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COUNCIL RESOURCES  
MANAGEMENT COUNCIL

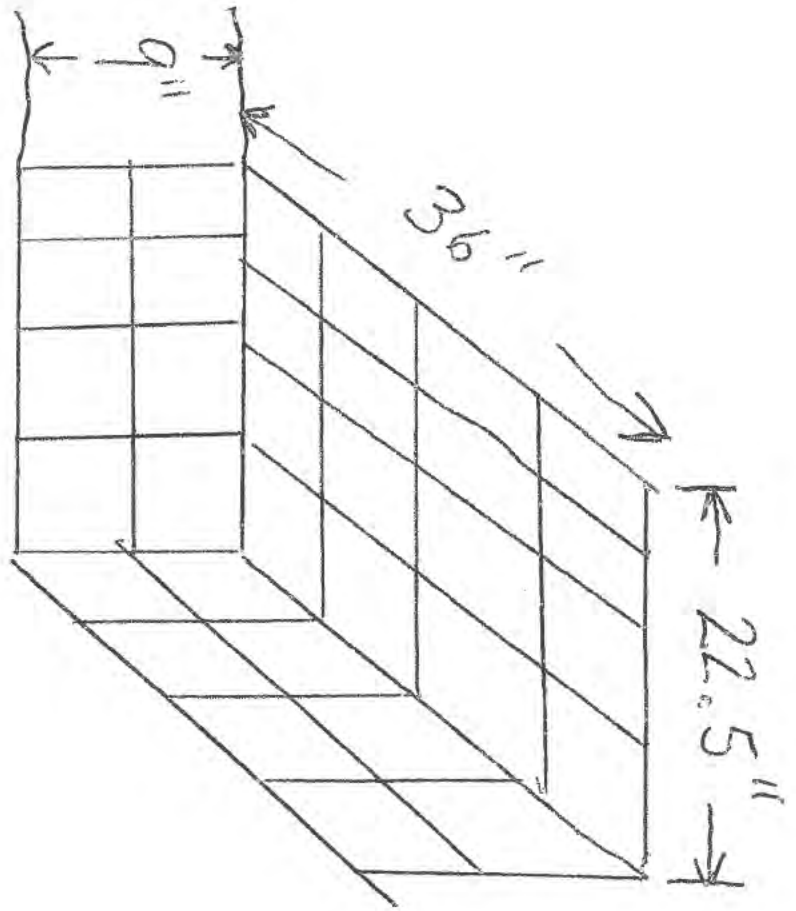


Exhibit A.

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CLINTON COUNTY ENGINEER

RAFT PLAN



From: CYNTHIA WEST westnest5@verizon.net  
Subject: Bag  
Date: March 7, 2024 at 10:47 AM  
To: A MOUR westnest5@verizon.net

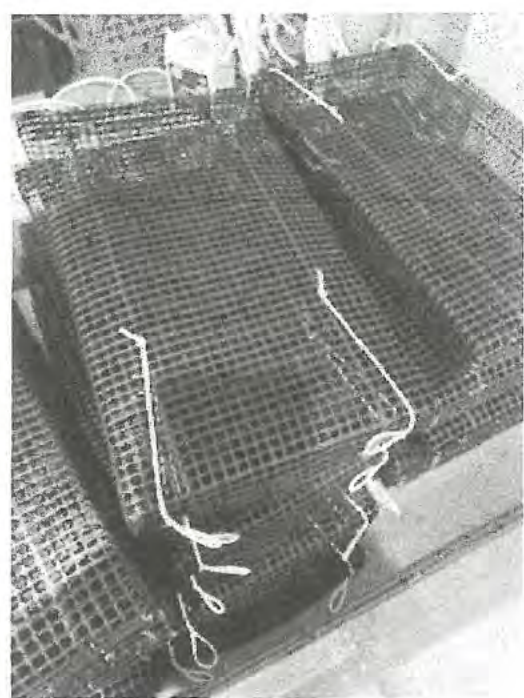


EXHIBIT B

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CC-311 RESOURCES  
MANAGEMENT COUNCIL



From: CYNTHIA WEST westnest5@verizon.net  
Subject: Bout  
Date: March 7, 2024 at 10:49 AM  
To: A MOUR westnest5@verizon.net

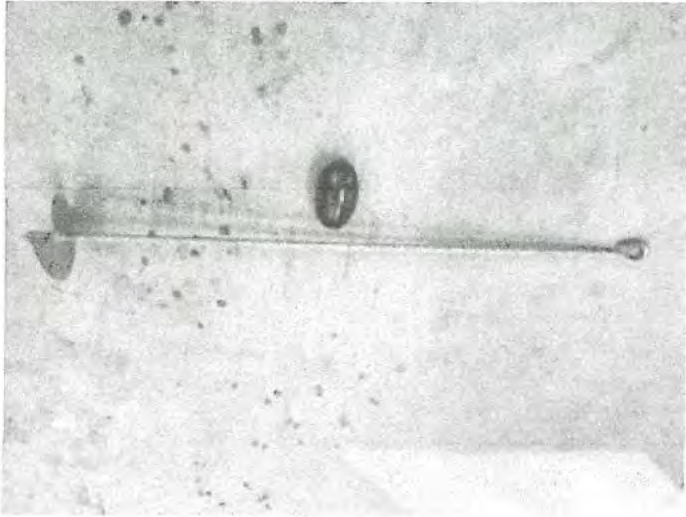


Exhibit C

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MUNICIPAL COUNCIL

(NORTH T)

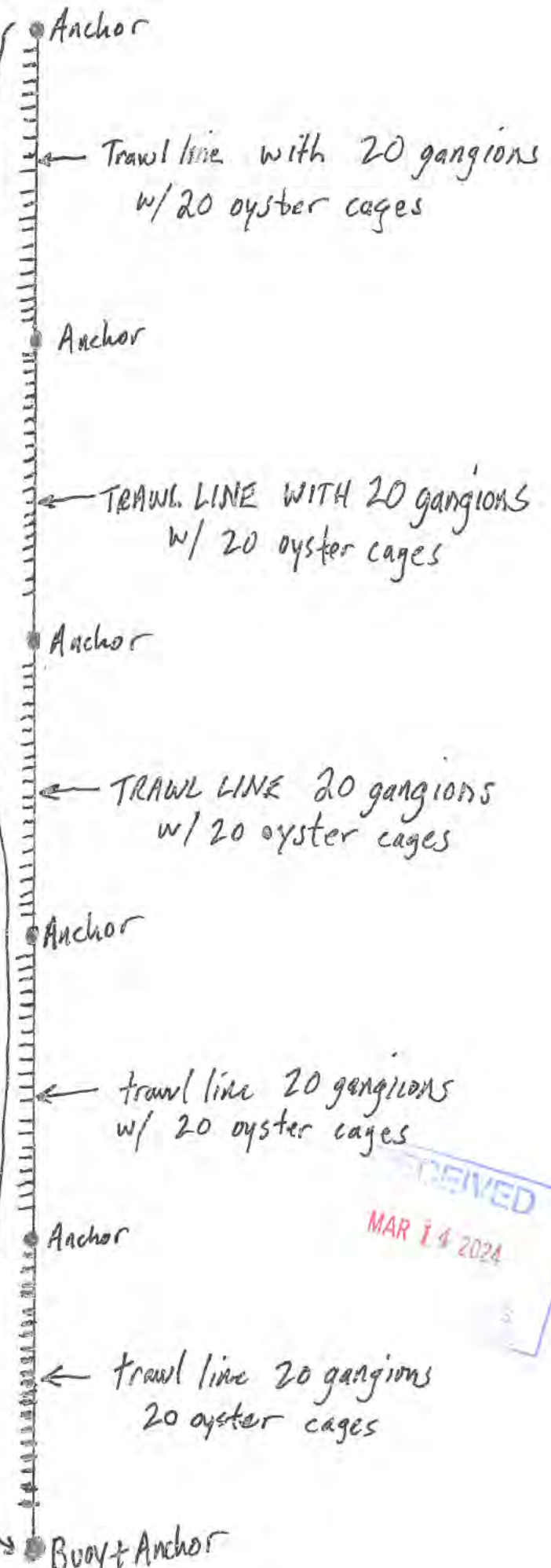
Each of the 5 north/south  
Lines contains:

- 1 5" Black buoy southside only
- 6 galvanized auger anchors
- 200 9" x 22.5" x 36" long wire oyster cages
- 200 Intermas oyster bags
- ~45,000 - 50,000 oysters (2" oyster or greater)

All 5 N/S trawl lines total:

- 5 - 5" Black buoys southside only
- 30 - galvanized auger anchors
- 500 - 9" x 22.5" x 36" long wire oyster cages
- 1000 - 18mm Intermas oyster bags
- ~250,000 oysters 2" or greater

500'



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MAR 14 2024

EXHIBIT D

(SOUTH T)

NW CORNER  
Buoys  
Existing Buoy

(NORTH)

500'



Existing Buoy  
Southwest CORNER

EXHIBIT E



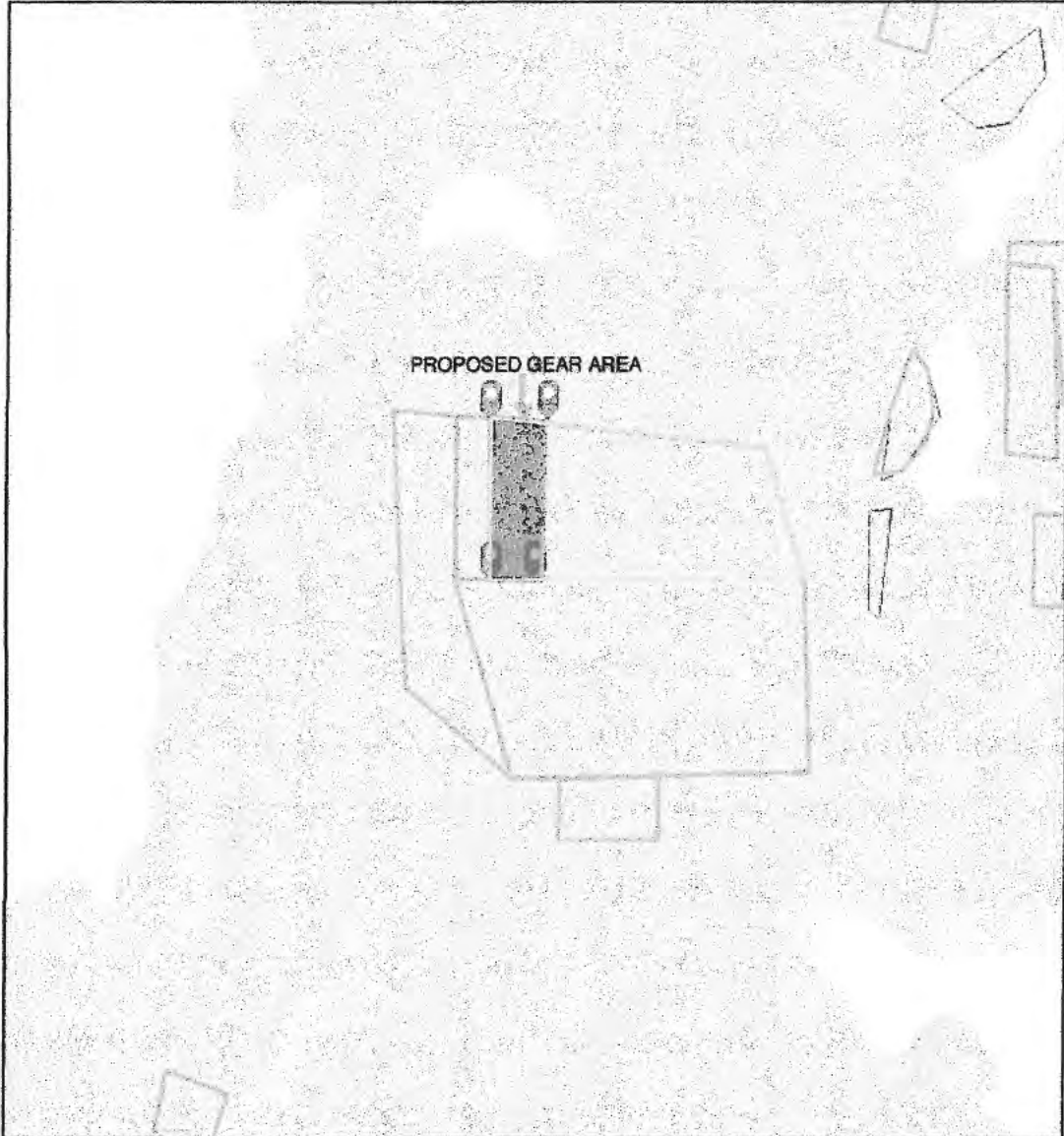
From: CYNTHIA WEST westncl5@verizon.net  
Subject:  
Date: March 7, 2024 at 10:40 AM  
To: A MOUR westncl5@verizon.net



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GENERAL RESOURCES  
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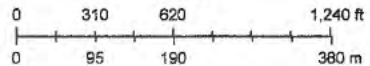
# West 2004-05-024 Modification



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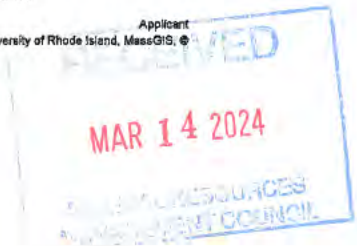
- |                    |                   |
|--------------------|-------------------|
| Floating Fish Trap | PD App            |
| Aquaculture Sites  | PN App            |
| Approved           | Proposed          |
| Expanded           | Withdrawn/Expired |



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NOAA NGDC, Esri, Garmin, NaturalVue | CCB Demo | RI Division of Fish & Wildlife / Marine Fisheries / Julia Livermore | Esri Community Maps Contributors, University of Rhode Island, MassGIS, © Applicant

EXHIBIT G



RIDEM Marine Fisheries Maps

Address or location name

Find address or place



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EXHIBIT H

RIDEM Marine Fisheries Maps

Map of Rhode Island

Find address or place

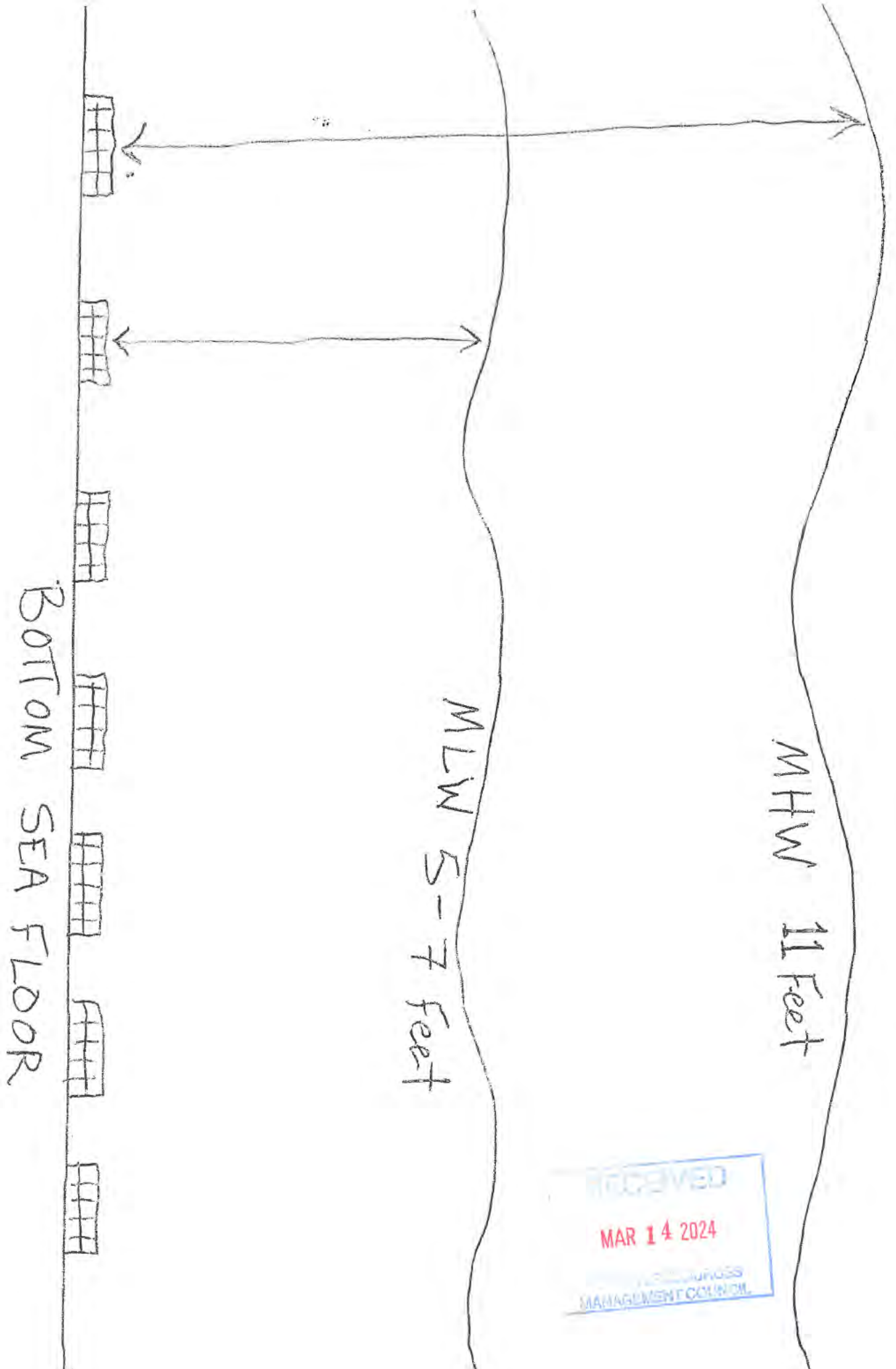


NOAA NGDC, Esri, Garmin, NaturalVue | RI Division of Fish

600ft

EXHIBIT H





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