State of Rhode Island and Providence Plantations
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: 2013-04-057 Date: February 6, 2020

This office has under consideration the application of:

Adam Silkes
65 Pierce Road
North Kingstown, RI 02852

To modify a State of Rhode Island Assent by: allowing a change in oyster growing technique from the submerged longline method to floating cages.

Project Location:	Narragansett Bay
City/Town:	Jamestown
Plat/Lot:	/
Waterway:	West Passage Narragansett Bay

Plans of the proposed work may be seen at the CRMC office in Wakefield.

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 March 9, 2020.

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REQUEST FOR ASSENT MODIFICATION

Assent/Permit Number: A2013-04-057 **(including extensions) Expiration Date:** January 30, 2020

Name of Assent Holder: Adam Silves dba A.T. Marine

Location of Project: West Passage Narragansett Bay

City/Town: Jamestown **Plat:** _____

Lot: _____

Name of Present Owner: Adam Silves

Mailing Address: 65 Pierce Road

City/Town: Saundesstown **State:** RI

Zip: 02874

Phone Number: 401-742-7690 **Contact Person:** Adam Silves

Abutters: N/A

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): To allow the use of Floating gear From January 1st through December 31st For oyster culture. Currently we are permitted For cage suspension culture From our 12 Lines and would like to have the option of Floating gear as it may improve product quality and reduce overhead.

Reason: To gain diversity in our gear types allowing us to be a more dynamic company

What state of construction is the project in: A.T. Marine has been operating successfully at this lease location since 2013

Owner's Signature: _____

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

/ajt 05/2018

RECEIVED
JAN 31 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Aquaculture Operations Plans

1. ***Name and mailing address***

   Adam Silkes dba AT Marine Llc 65 Pierce Road Saunderstown RI 02874

2. ***CRMC file number***

   2013-04-057

3. ***DEM Aquaculture License number***

   000090

4. ***Type of facility***

   Commercial Aquaculture lease site

5. ***Location of facility***

   - Adjacent town:

     Jamestown

   - Water body:

     West Passage Narragansett Bay

   - Lat/long coordinates of facility:

     41 31.007N
     71 23.615W

6. ***Species of shellfish***

   Blue Mussels, Mytilus edulis
   Eastern Oysters, Crassostrea virginica

7. T***ypes of structures, gear and methods***

   Existing infrastructure in the water 12 x 600' x 1" long lines submerged 5' below the surface with 2'x2'x4' oyster cages suspended every 5' from them along each line. Lines are floated with 16" and 24" HDPE floats on 5' x 5/8" rope tied to the main lines on 5' tethers.

Requesting to add ability to use flow-n-grow cages that will act as the cage to grow oysters as well as the float to keep them at the surface. They will live at the surface during the months of growth (typically end of April through October) and sunk below the surface when the farm(er) deems appropriate (if at all) This application seeks the ability to deploy floating gear at this site (see attached spec sheet and picture). Each of the 12 longlines at this lease are 600 feet long. See attached diagrams and charts. If permitted, each longline would be capable of holding 97 floating cages and the entire lease could hold 1,164 floating cages.

8. ***Methods and equipment used to identify and mark site.***

We currently use Aluminum radar poles, or hi flies, to mark the boundaries of the area

9. ***Shellfish Harvesting Classification***

Approved

10. P***ractices and procedures used***

Oysters will be planted into each of the 6 bags per each cage during Spring and early Summer. They will be flipped on a regular basis, depending on fouling and air temperatures. When oysters get visually large enough, they will be submerged for a minimum 5 days and then will be harvested and graded for size and quality. The smaller oysters will be returned to the bags for further growth. As the Winter approaches, cages will be sunk depending on weather and market demand for product from the cages. During the Spring, cages that had been sunk will be floated back up to the surface and empty bags will be re-planted same as the previous Spring.

Upon harvest, all product will be brought by harvest vessel to Little Allen Harbor in NK and offloaded and sold to American Mussel Harvesters.

11. M***aintaining records***:

For operations using seed acquired from out-of-state: description of notification, disease certification, and labeling/tagging procedures:

At least one week prior to receiving seed from out of state, the RI CRMC Aquaculture coordinator will be notified and given a pathology report

about the seed. All seed will be properly labeled upon arrival and throughout planting day.

12. M***aintaining records***: For upwellers/seed-growing facilities in prohibited waters:

N/A

13. M***aintaining records***: For operations using seed from prohibited waters, or operations using shellfish obtained from a third party that originated as seed from prohibited waters:

We currently use a computer program called Oyster Tracker that tracks all inventory and farm activities in real time on Ipad's. Each of our workboats have an Ipad on-board. This program tracks and logs each animals' movement throughout the farm from the day it was planted to the day it is harvested and sold to market. https://www.oystertracker.com/

Detailed description of demarcation methods and record-keeping practices used at the lease site to ensure that animals have been cultured at least six (6) months in approved waters, prior to sale, including:

a. Detailed record-keeping practices specifying date, source, average size, and amount of seed; and
b. Protocols and associated record keeping for tracking product, e.g., use of tagged/numbered cages and/or bags, use of marked trawls, and/or use of marked, segregated portions of lease sites.

We currently use a computer program called Oyster Tracker that tracks all inventory and farm activities in real time on Ipad's. Each of our workboats have an Ipad on-board. This program tracks and logs each animals' movement throughout the farm from the day it was planted to the day it is harvested and sold to market. https://www.oystertracker.com/

Description of the process for notifying the third party that (a) seed came from prohibited waters, (b) the date of that transfer, and (c) the remaining time needed to maintain the animals in approved waters prior to sale.

We have one customer, American Mussel Harvesters. We don't notify them every sale that the product has been in approved waters for 6 months or more even though it has been. It is an assumption that the farm is adhering to state regulations and best management practices, therefore the product is safe to purchase and re-sell to their customer base. If AMH wishes to check our records, we use Oyster Tracker and the information is readily available upon request.

Operations Plan

Oysters will be planted into each of the 6 bags per each cage. They will be flipped on a regular basis, depending on fouling and air temperatures. When oysters get visually large enough, they will be submerged for a minimum 5 days and then will be harvested and graded for size and quality. The smaller oysters will be returned to the bags for further growth. As the Winter approaches, cages will be sunk depending on weather and market demand for product from the cages. During the Spring, cages that had been sunk will be floated back up to the surface and empty bags will be re-planted same as the previous Spring.

Cages will be equipped with bird deterrent devices that will be purchased from Ketcham Trap in New Bedford (they don't have pictures on there website of them but do sell them) and or tie wraps facing up that birds won't like the look or feel of.

Category B Requirements, section 300.1

(1)*Demonstrate the need for the proposed activity or alteration;*

AT Marine has been operating RI CRMC Assent 13-04-057 successfully since 2013. Initially the focus was on growing blue mussels, but very quickly switched over to total farm production of oysters. Over the past seven years there have been significant advances in gear types to grow oysters that improve quality and cut overhead costs, compared to the gear types available when we started in 2013. To stay competitive in an ever changing industry, AT Marine requests the approval of CRMC and RI Tax Payers to allow the use of floating gear for oyster culture for the reasons mentioned in previous sentence.

(2)*Demonstrate that all applicable local zoning ordinances, building codes, flood hazard standards, and all safety codes, fire codes, and environmental requirements have or will be met;*

Proper permits will be attained through RI CRMC.

(3)*Describe the boundaries of the coastal waters and land areas that are anticipated to be affected;*

See attached chart and pictures.

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

Impacts on erosion and/or deposition processes are non-applicable to this project. There is no interaction between the oyster gear/infrastructure and the shore line.

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

Shellfish aquaculture is known to improve water quality and animal diversity. Cages and other gear provide structure and habitat for a suite of other organisms thereby increasing biodiversity (Tallman and Forrester 2007).

(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;*

Shore side activity will not be affected at all as the site is not in tidal waters.

(7)*Demonstrate that the alteration will not result in significant impacts to water circulation, flushing, turbidity and sedimentation;*

The gear design will not alter water circulation nor flushing due to its design. Turbidity and sedimentation will not be added. The Tidal exchange at this site is tremendously powerful. Bivalves improve water quality See answer for question 5 above.

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

See answers 4 and 5 above.

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

There are no known historic or archaeological assets at the proposed site. It is the site of an existing shellfish farm.

(10)*Demonstrate that the alteration or activity will not result in significant conflicts with water-dependent uses and activities such as recreational boating, fishing, swimming, navigation and commerce;*

The site will not unreasonably interfere with any pre-existing users of the proposed area. It has been a fully operational shellfish farm for 7 years.

(11)*Demonstrate that measures have been taken to minimize any adverse scenic impact;*

Scenic impact will be comparable to what there currently is now at this site.

Additional Category B Requirements, section 300.11-D

(a)*Describe the location and size of the area proposed*;

The site is located on the West side of Jamestown, Narragansett Bay. See attached aerial view chart or visit RI DEM website, Aquaculture Maps, AT Marine in Dutch Harbor area of Jamestown

(b)*Identify the species to be managed or cultivated within the permitted area and over which the applicant shall have exclusive right*;

Blue Mussel, *Mytilus edulis.* Eastern Oyster, *Crassostrea virginica*

(c)*Describe the method or manner of management or cultivation to be utilized, including whether the activities proposed are experimental, commercial, or for personal use*;

The method of cultivation is a long-line style of aquaculture commonly used throughout the world to grow shellfish. Once the gear is installed and planted, the major maintenance activity will be to regularly flip the floating cages to dry out fouling on cages and oysters. Then flip back over so oysters grow unencumbered.

(d)*Provide such other information as may be necessary for the Council to determine*:

1.*) The compatibility of the proposal with other existing and potential uses of the area and areas contiguous to it, including navigation, recreation and fisheries*;

This site has been fully operational since 2013 and there are several different user groups that work in and around the site.

2.) *The degree of exclusivity required for aquaculture activities on the proposed site*;

There is not a need of exclusivity, just cooperation from the existing users in and around this site.

3.) *The safety and security of equipment, including appropriate marking of the equipment and/or lease area*;

Each of the 12 lines are made of 1" anchor rope and 1" backbone rope. Each line is anchored to the bottom at either end with a 2" thick steel helix anchor that is 12' long and has a minimum 24" disc welded to the bottom of it that augers the anchor into the bottom and holds it from popping out. Each anchor was installed with a hydraulic drill.

4.) *The projected per unit area yield of harvestable product*;

1,396,800 oysters

5.) *The cumulative impact of a particular aquaculture proposal in an area, in addition to other aquaculture operations already in place;*

This gear type request will not impact the area any different than the existing gear type being used today.

6.) *The capability of the applicant to carry out the proposed activities;*

I've operated and managed this lease for the past 7 years successfully, as well as Salt Water Farms 48 acre lease in East Passage for the past 20 years successfully.

7.) *The impact of the proposed activities on the scenic qualities of the area;*

Scenic impact will be comparable to what there currently is now at this site.

References

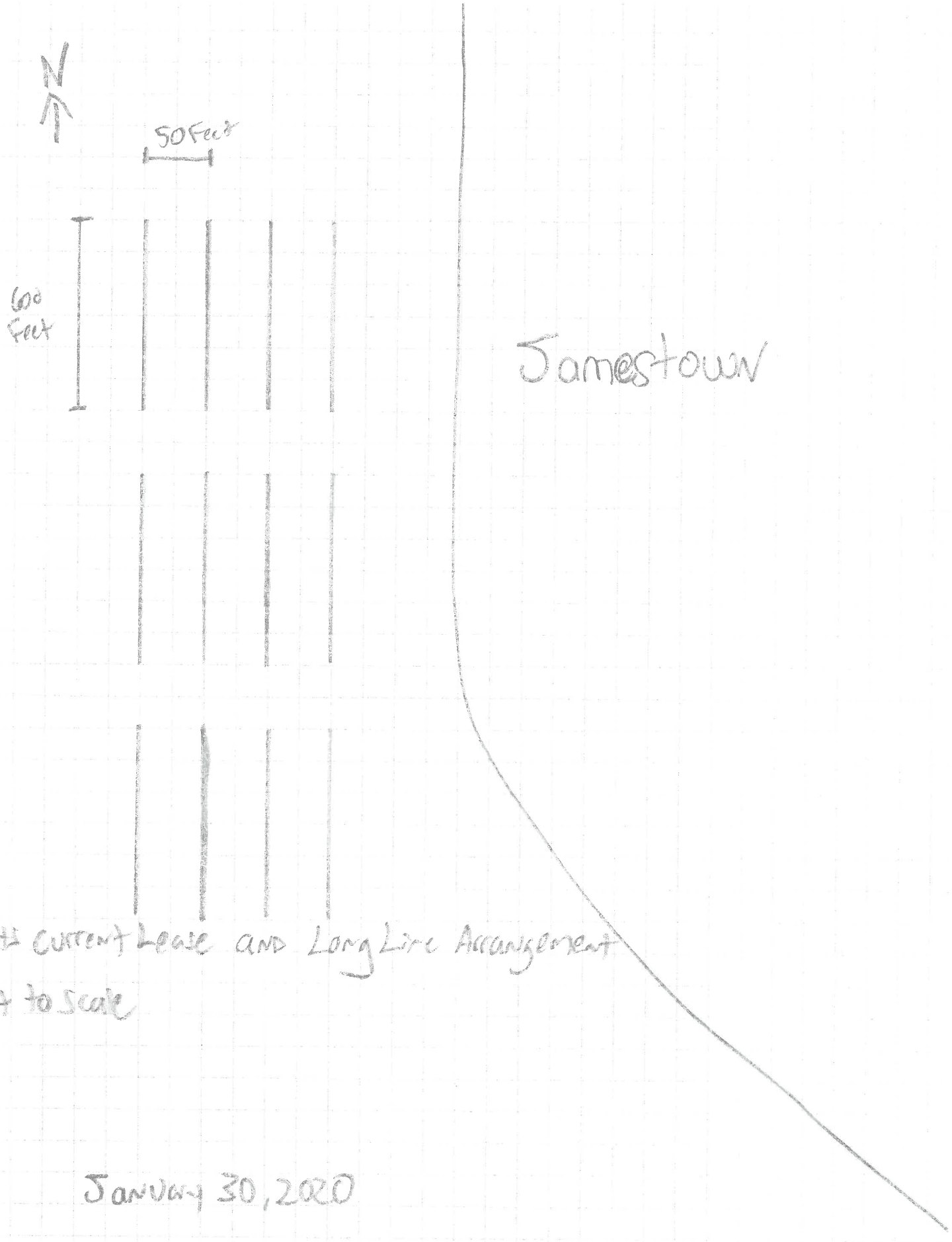
Forrester, E. Graham, Tallman, C. Jessica (2007). Oyster Grow-Out Cages Function as Artificial Reefs for Temperate Fishes. Transactions of the American Fisheries Society, 136:790-799.

AT Marine, Llc
ASSENT A2013-04-057 MODIFICATION REQUEST
January 2020

PROPOSED MODIFIED PLANS/SPECIFICATIONS

Currently, at this lease area, we are permitted for submerged cage culture of oysters. This application seeks the ability to deploy floating gear at this site (see attached spec sheet and picture). Each of the 12 longlines at this lease are 600 feet long. If permitted, each longline would be capable of holding 97 floating cages and the entire lease could hold 1,164 floating cages.

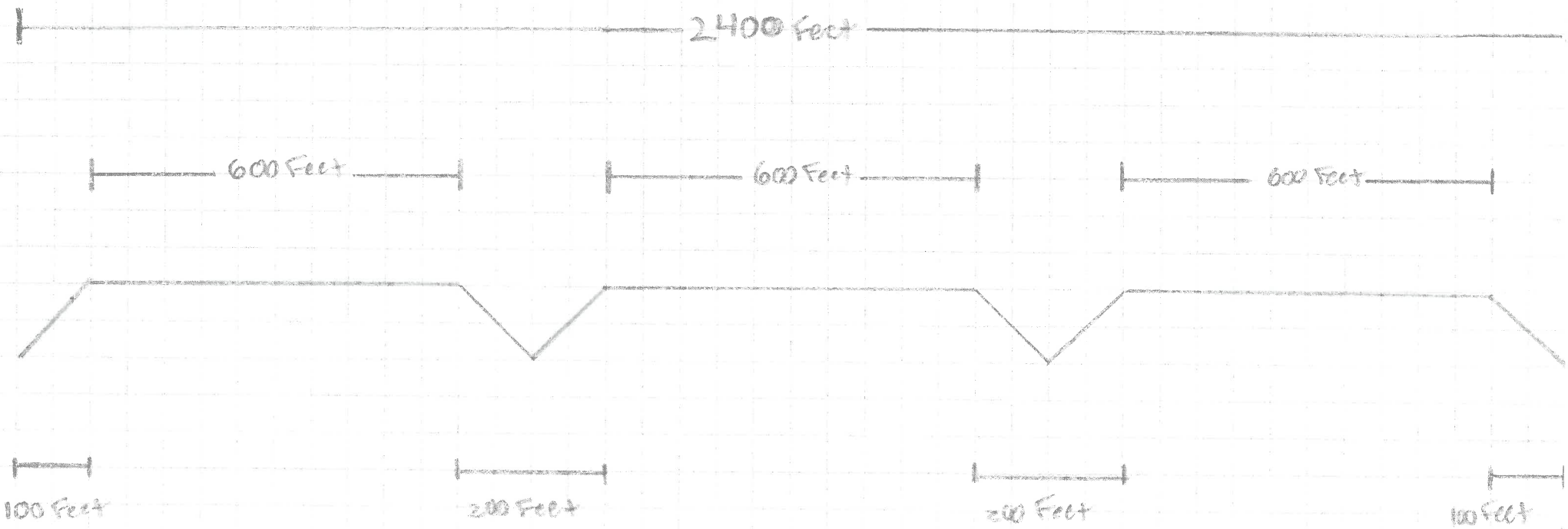
The existing long lines in place at this area are more than capable of handling this floating gear. We use 1" anchor rope and 1" rope for our longlines. Our longlines are anchored at each end to 12' long x 2" thick steel pipes with 24" steel auger plates welded to them at the base that were hydraulically drilled into the sediment during the winter of 2013. Since then, we've operated the lines to full capacity with 100 suspended cages of 1200 oysters each plus weight of fouling on the cages. Also, we have two work boats that have worked all twelve lines routinely over the last many years that weigh 40,000 lbs and 60,000 lbs.



Depicts current Lease and Long Line Arrangement

*Not to Scale

January 30, 2020



Depicts Side View of Long Line Buoy

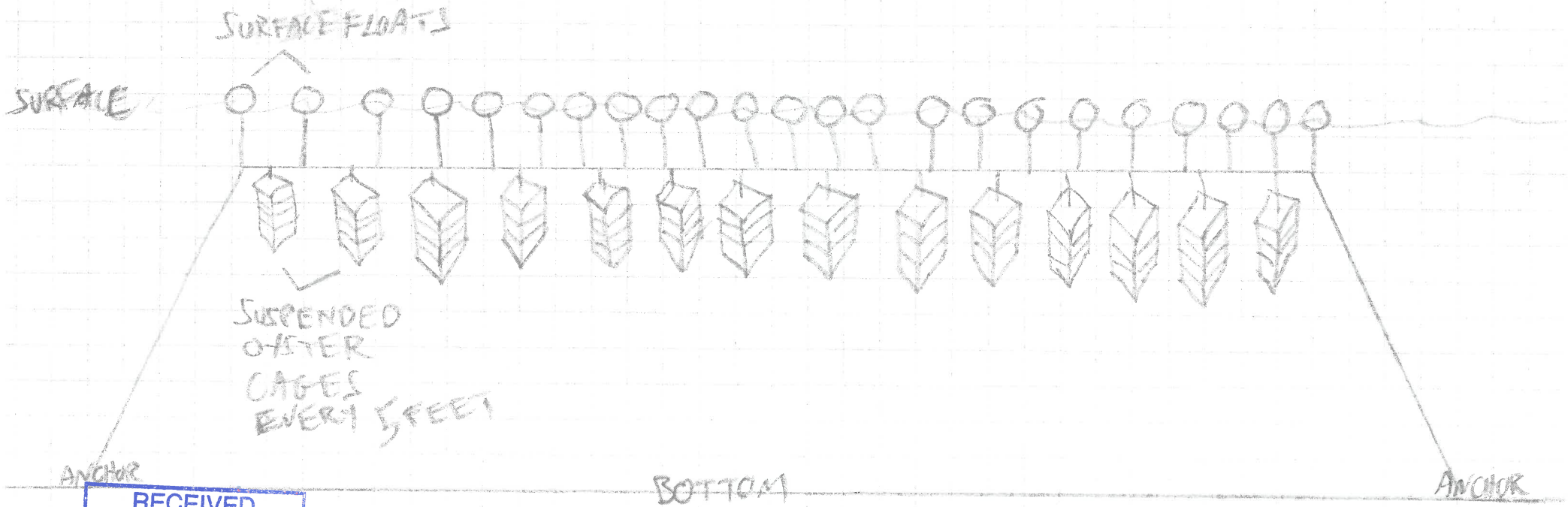
*NOT TO SCALE

January 30, 2020

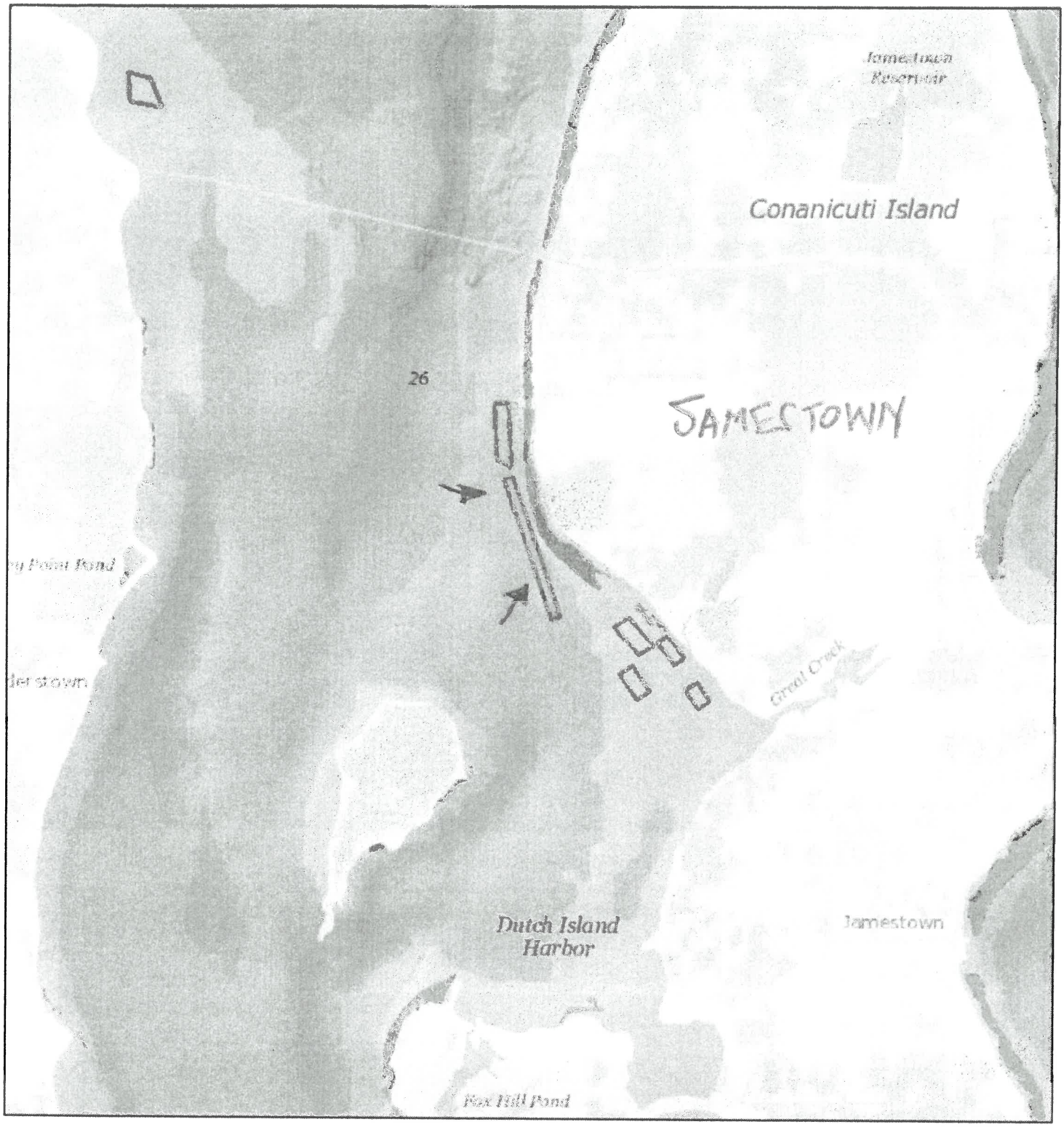
CURRENT LONGLINE DESIGN AND USAGE

* NOT TO SCALE

January 30, 2020



Aquaculture Location Sketch



3/29/2019, 8:05:37 AM

1:36,112

0 0.23 0.45 0.9 mi

0 0.35 0.7 1.4 km

SAV 2006

SAV 2009

SAV 2012

SAV 2016

Aquaculture Area

Sources: Esri, GEBCO, NOAA, National Geographic, Garmin, HERE, Geonames.org, and other contributors, Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

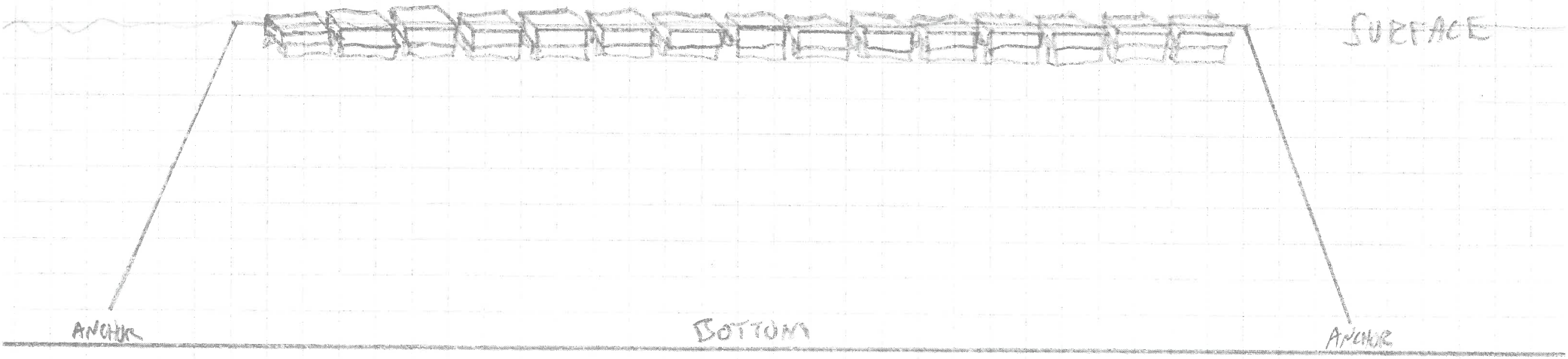
Applicant

NOAA NGDC, Esri, DeLorme, NaturalVue | NOAA NGDC, Esri, HERE, DeLorme |

PROPOSED LINE/CAGE DESIGN

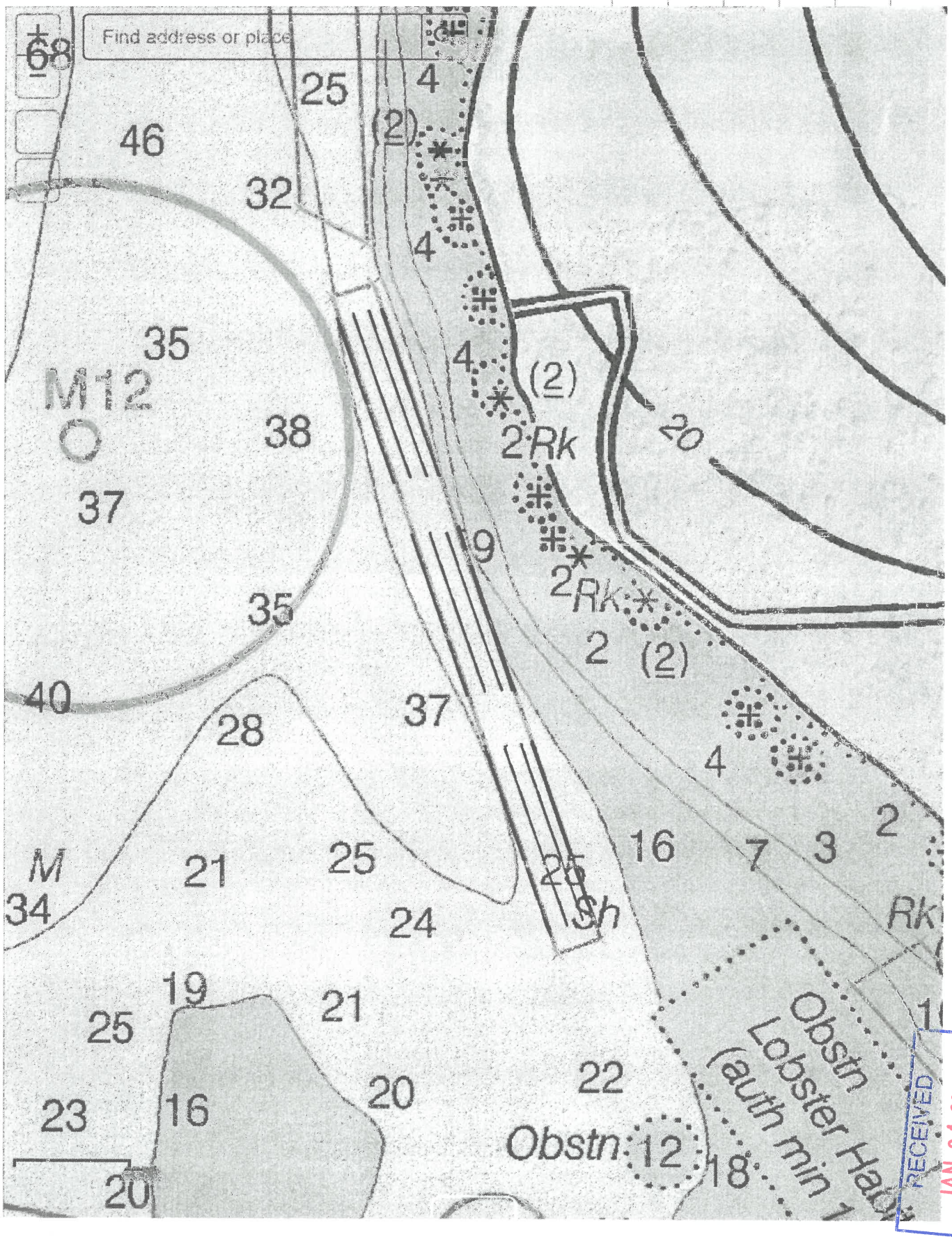
* NOT TO SCALE

January 30, 2020



Aerial View To Scale

Approved Aquaculture Leases in Rhode Island



January 30, 2020

Flow N Grow Float Specifications:

- 243 Pounds of floatation each, 486 pounds per cage.
- Each Float measure 62.5 x 13.75 x 9.5″ and weighs 13.5 pounds.
- High quality UV stable plastic
- Manufactured in the US

6 Bay Cage Specification:

- Cage measures 9" tall x74 " long x 40.5" wide.
- Constructed from 8G 4.5" square marine grade wire mesh.
- Full width double 8G bridal points.
- Full back panel.
- Solid rubber cord door closures.
- 3 bays across, 2 bays tall.
- Heavy duty marine grade wire float straps.
- Optional bird deterrent post with string.
- Optional gunwale mounted flipping tool.
- Manufactured in the US.