



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: 2014-04-106 Date: December 12, 2022

This office has under consideration the application of:

Diane Franford
Jonathan Island Oyster Co., LLC
70 Kelseytown Road
Killingworth, CT 06419

for a State of Rhode Island Assent to construct and maintain: use floating aquaculture gear at their current site west of Jonathan Island. Please see application attached with map and gear description.

Project Location:	1 Jonathan Island
City/Town:	Narragansett
Waterway:	Point Judith Pond

Plans of the proposed work can be seen attached or requested at 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 January 12, 2023.

Please email your comments/hearing requests to: 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.

/lat



State of Rhode Island and Providence Plantations
 Coastal Resources Management Council
 Oliver H. Stedman Government Center
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 Wakefield, RI 02879-1900

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REQUEST FOR ASSENT MODIFICATION

Assent/Permit Number: B 2014-04-106 (including extensions) Expiration Date: 7-8-2030
 Name of Assent Holder: Diane Franford
 Location of Project: 1 Jonathan Island
 City/Town: Narragansett Plat: _____
 Lot: _____

Name of Present Owner: Diane Franford
 Mailing Address: 70 Kelsey town Rd
 City/Town: Killingworth State: CT
 Zip: 06419
 Phone Number: 860-304-3720 Contact Person: Diane Franford
 Abutters: NONE

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 expand our lease "west" to partial full column floating.
 Reason: To increase capacity of crops while still maintaining original footprint of lease
 What state of construction is the project in: Bolton planting and Rack & Bag

Owner's Signature: Diane Franford 11-29-22

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

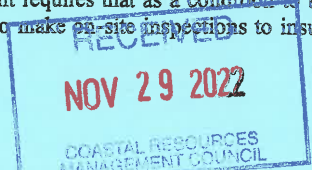


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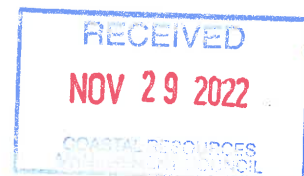
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Revised aquaculture assent modification; Ben & Diane Franford

I Introduction

Ben and Diane Franford currently own and operate Jonathan Island Oyster Company with two oyster leases in Narragansett Rhode Island, 1.5 acres west of Jonathan Island and 5.85 acres east of Jonathan Island. Jonathan Island is a 3 acre off grid island privately owned by the Franford's since 2013. Both attended Roger Williams University's aquaculture program with Dr. Dale Levitt, completing certification in 2014 at which time they started the company.

Regarding the objections of the original assent modification request in 2018, by the harbor master and harbor committee, they have revised the modification to a portion of the west lease with no navigational hazards. The new proposed area for floating gear will be in line with the dock footprint adjacent northly to the lease which will keep the gear away from the inside channel by at least 100 yards. This lease area is rocky and shallow, non-navigable to boat traffic. They will deploy low profile gear with dark floats to minimize daytime impact. Reflective tape added to the west side buoys to assist with nighttime navigation. This area of the lease is not adjacent to any salt marshes and will not affect winterizing habitat to waterfowl varieties. During the winter months November to March the cages will be submerged to the bottom.

II Operational Plan

1. *Name & address*

Ben & Diane Franford
70 Kelseytown Rd
Killingworth, CT 06419
203-988-4187 860-
304-3720

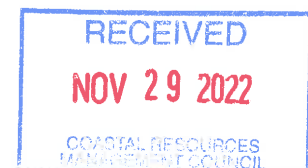
2. *CRMC number:* B2014-04-1063

3. *DEM Aquaculture license:* 000 100R POT

4. *Type of facility:* Commercial oyster aquaculture lease

5. *Location of facility:*

1 Jonathan Island
Narragansett, RI 02882
Point Judith Pond PJ-10



Latitude/Longitude coordinates of the lease:

NW corner=Lat:41*24'10.45" N
Lon:71*30'9.64" W

West Middle=Lat:41*24'8.22" N
Lon:71*30'10.72" W

SW corner=Lat:41*24'5.34" N
Lon:71*30'30"11.24" W

SE corner=Lat:41*24'5.64" N
Lon:71*30'10.23" W

East middle=Lat:41*24'7.82" N
Lon:71*30'8.18" W

NE corner=Lat:41*24'9.64" N
Lon:71*30'8.87" W

Total acres are 1.55

(Please see Figure 1)

6. *Species grown:*

Crassostrea virginica Eastern oyster

All shellfish operations will be conducted in accordance with the Rhode Island Biosecurity board protocols.

7. *Gear specifications:*

Modification request is to add floating gear to our existing west lease. (Figure 3) Our floating gear will consist of approximately 10 mainlines of sink rope, spaced 15 feet apart up to 600 feet long, anchored north to south with auger anchors at each end marked with a 7x7 inch blue buoy. We will attach 4 trawls of 25 oyster grow out bags(2ftx3ft) to each mainline. Non mechanical bird deterrent fins to mitigate birds perching on the gear will be available and installed as needed.

The pillowcase style oyster grow out bags (Figure 4) will be supported by 2 extra low profile black floats measuring 32 inches long by 3.5 inches wide by 3.27 inches high. (Figure 5) During the growing season (April to November) bags will be floated on the surface. During the winter months (November to April) bags will be submerged.



8. *Identifying markers:*

All corner markers of the west lease are marked per CRMC regulations with the assent number# B2014-04-1063 on 12-inch yellow buoys. The floating lease will be marked with 7-inch blue buoys at each end of the mainline with numbers sequential to the planting/harvest information.

9. DEM *shellfish Harvesting classification is:*

PJ-10 Point Judith Pond Narragansett/ approved waters

10. *Description of practices and procedures:*

Seed source, husbandry and gear maintenance

Oyster seed will be preferably sourced from a New England based commercial hatchery: (e.g.; Muscongus Bay Aquaculture) with an approved pathology report. Determination of the exact seed source will be dependent on hatchery supply. The CRMC coordinator will be notified of seed source and provided a corresponding pathology report (if the source is outside the biosecurity zone) at least five days in advance to deploying any seed into the farm. Seed will be purchased with a minimum Of 2mm valve length and be grown in oyster mesh bags until market size is achieved. Throughout the growing season oysters will be tumbled and sorted according to size. The density of oysters per bag will be thinned to mitigate overcrowding and food competition. Floating gear with juvenile oysters will be submerged during the winter season (November to April) Maintenance of the floating gear will be to flip the trawls upside down twice a month to air dry for 24 hours to decrease fouling. Anchors and long lines are checked visually each month. Gear is continually being assessed and replaced as indicated.

Harvest, Storage and transportation

All handling of shellfish will adhere to the recommendation's set forth by RIDEM (Rhode Island Marine Fisheries Regulations, Part IV Shellfish) and in accordance with RIDEM Vibrio Management Plan, as instituted July 1,2014. All shellfish sales will be recorded with appropriate tagging as mandated by the RI shellfish regulations (Blue Trace tagging system in place for accurate tagging and record keeping) During the growing process and harvest, transport of materials and animals will be via foot from shore and boat. Market oysters are put into 100/200 count nylon bags and tagged with required information then place into coolers with potable ice for transport to clients. All sales records will be kept and maintained by Diane Franford and are available upon request. The farm is in operation 3-5 days per week, between sunrise and sunset during the growing season with limited winter hours.



11. *Procedures for maintaining records:*

Oyster seed will be purchased from a commercial hatchery that is certified by the division of Marine Fisheries. CRMC will be notified prior to seed purchases and supplied with the appropriate documentation including: the origin of the seed (hatchery name and location), spawn date, number purchased, date of delivery and pathology reports. Records will be maintained in accordance with the requirements of the CRMC, NMFS, DEM, DOH and the State Of Rhode Island for record keeping and reports. Records of seed purchase will be maintained by Ben Franford for review by CRMC upon request.

12. *Procedures for maintaining records for upwellers in prohibited waters:*

Not applicable to this application

13. *Procedures for maintaining records for operations using seed from prohibited waters:*

Seed purchased from a third party that originated from prohibited waters will be kept separate from other cohorts by marking bags with red tags. Tags will contain the date the seed was purchased to ensure sales do not occur prior to six months of growth in approved waters of the lease. Seed which originated in prohibited waters will not be mixed with seed originating from approved waters.

III Written responses to CRMP section 300.1

1. Demonstrate the need for the proposed activity or alteration:

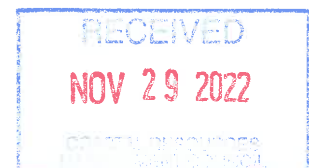
We are requesting an assent modification to our current west lease to improve our available farming space, due to obstructed bottom planting (eg. rocks and mud) by instituting full column capabilities by adding floating gear. This would allow the applicants to provide local sustainable products to the market.

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:

Permits will be obtained through RICRMC as requested for this modification as needed.

3. Describe the boundaries of coastal waters and land areas that are anticipated to be affected:

There are no boundaries of coastal waters and land areas that are anticipated to be affected.



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

Aquaculture is not known to directly impact erosion or deposition.

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

The proposed modification will not result in significant impacts on the abundance and diversity of plant and animal life. Aquaculture is known to increase species diversity. Shellfish and associated culture gear serve as essential fish habitat.

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:

There will be no interference with public access or use of tidal waters as there is no public access off our site. The use of tidal waters is accessible to kayakers and small boats (due to non-navigable waters). Trawl lines with gear will be spaced 15 feet apart allowing adequate room to navigate watercraft between gear.

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

Impacts of water circulation, flushing, turbidity and sediment are not applicable to this modification as the gear used will have little effect on the hydrodynamics in this area.

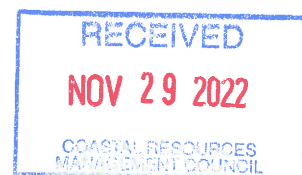
8. Demonstrate that there will be no significant deterioration in the quality of water in the immediate vicinity as defined by DEM:

Shellfish aquaculture is known to improve water conditions. Oysters are capable of filtering the water as they feed on the phytoplankton whereby, they increase water clarity, reduce turbidity, as well as reduce carbon, nitrogen and pollutants from the water column.

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

To the best of our knowledge there is no archaeological or historical significance to our proposed modification site.

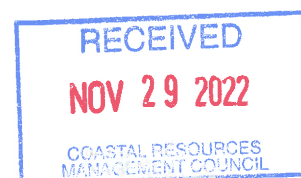
10. Demonstrate that the alteration or activity will not result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation and commerce:



In the shallow waters of the lease swimming is discouraged due to submerged hazards related to aquaculture. Wading in the water, shelling or quahoging is accessible along the beach shoreline. Kayaking or canoeing would not present a problem. Longlines will be 15 feet apart allowing adequate room to maneuver a small work boat or kayak. The lease is outside of boat traffic routes and is non navigable due to shallow water and rocks.

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

The gear to be used is very low profile with less than 3.5 inches above the waterline. Small buoys will clearly mark the longlines which will be maintained in an orderly fashion.



Proposed Lease Modification

- Eighteen (18) Main Lines
- Main Lines are 150' Long
- 15' between each Main Line

Legend

- 1.55 Acre - Approved
- Coordinates - Perimeter of Lease
- Ground Use Only (No Floating Cages)
- Main Lines

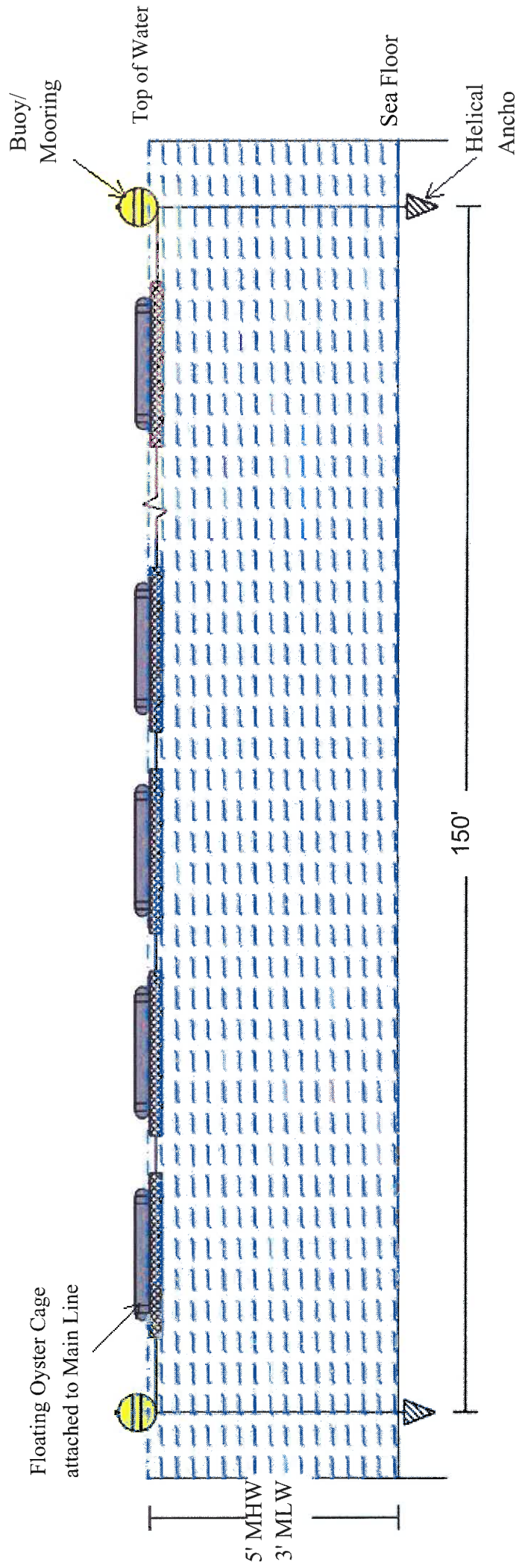


No Floating Cages in Highlighted Area. Ground Use Only.

Google Earth

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Figure 1: Cross Section depicting typical floating oyster cage grow out on the proposed lease. Twenty-five (25) floating oyster cages will be deployed on each Main Line, which extends 150 feet. See Figure 2 for oyster cage dimensions.



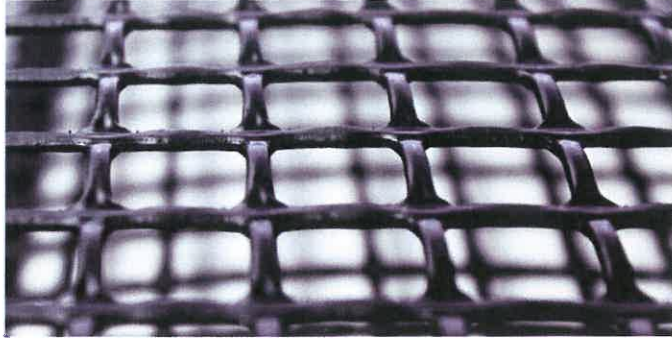
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Go Deep
Shellfish Aqua

GDI SQUARE MESH

HEAVY DUTY OYSTER BAGS



FEATURES

- 100% virgin UV resistant material
- Heavy duty construction
- Black as a standard color
- Ultra pliable
- Industry standard bag size

BENEFITS

- Low cost
- Easy to clean and maintain
- Environmentally friendly
- Easily conforms to growing specifications

AVAILABLE MESH SIZES

4 mm

6 mm

9 mm

14 mm

18 mm

Ask about our full line of oyster floats!

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GD-OF-04-S



GD-OF-11-1C



GD-OF-50-2C

**CONTACT US
TO ORDER:**

TOLL FREE (NORTH AMERICA): 1-877-446-3337
INTERNATIONAL: 1-506-633-7850

EMAIL: INFO@GODEEPAQUACULTURE.COM
WEB: WWW.GODEEPAQUACULTURE.COM



FEATURES

- Manufactured from industrial grade plastic
- 100% virgin material
- Impact-resistant robust construction
- Highest UV package
- Black as a standard color
- Ribs aid in bag attachment and provide structural strength

BENEFITS

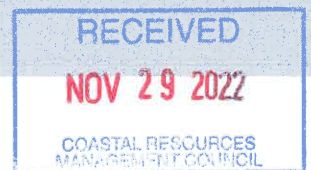
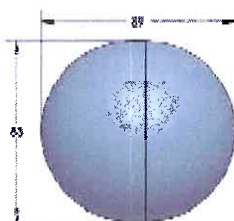
- Low cost
- Easy to clean and maintain
- Resistant to sea growth
- Environmentally friendly
- 100% recyclable at end-of-life
- Consistent buoyancy



SPECIFICATIONS

Length	81.3 cm
Width	8.9 cm
Height	8.3 cm
Net Buoyancy	4.1 kg
Construction	Virgin UV stabilized industrial grade plastic
Standard Colors	Black
Warranty	1 year full replacement for manufacturing defects

GENERAL ARRANGEMENT



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