



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: 2020-05-083

Date: June 10, 2020

This office has under consideration the application of:

Andrew Van Hemelrijck
167 Broadrock Road
South Kingstown, RI 02879

for a State of Rhode Island Assent to construct and maintain: a 0.55 acre primary site for an oyster farm using bottom cages and a 0.05 acre winter site for bottom cages.

Project Location:	Point Judith Pond
City/Town:	Narragansett
Waterway:	West side of Great Island

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 July 10, 2020.



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APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Project Location <u>Point Judith Pond Narragansett, RI</u> No. Street City/Town		File No. (CRMC USE ONLY) <u>2020-05-083</u>
Owner's Name <u>Andrew Van Hemelrijck</u>		Plat: Lot(s):
Mailing Address <u>167 Broad Rock Rd.</u>		Contact No.: <u>(401) 741-6507</u>
City/Town <u>South Kingstown</u>	State <u>RI</u>	Email Address: <u>andrewvanhemelrijck@gmail.com</u>
Zip Code <u>02879</u>		
Contractor RI Reg. #	Address	Email address: Tel. No.
Designer	Address	Tel. No.
Name of Waterway <u>Point Judith Pond</u>		Estimated Project Cost (EPC): <u>\$5,000</u>
		Application Fee: <u>\$50.00</u>
Describe accurately the work proposed. (Use additional sheets of paper if necessary and attach this form.) <u>Application for aquaculture lease to grow oysters & quahogs at 2 sites in Point Judith Pond.</u>		

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ☐ YES ☒ NO

Is this application being submitted in response to a coastal violation? ☐ YES ☒ NO

If YES, you must indicate NOV or C&D Number: _____

Name/mailling addresses of adjacent property owners whose property adjoins the project site. Accurate mailing addresses will insure proper notification. _____ Applicant must initial to certify accuracy of adjacent property owners and accuracy of mailing addresses.

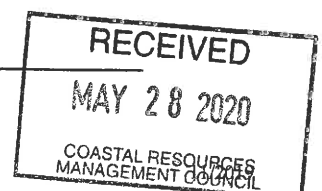
STORMTOOLS (<http://www.beachsamp.org/resources/stormtools/>) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

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. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to meet and present testimony on the criteria and burdens of proof for each of these relief provisions. 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. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have 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 the penalties of perjury.

08/04

Al
Owner's Signature (sign and print)

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM



Andrew Van Hemelrijck
Aquaculture Lease Application
June 9, 2020
Operational Plan

CRMC File Number - 2020-03-029 ⁰⁵⁻⁰⁸³

DEM Aquaculture License number - 000121

Type of facility - 2 Commercial Lease Sites (one primary, one winter location)

GPS Lat/long coordinates

Primary Site

- 1 - 41.38845° N, -71.51172° W
- 2 - 41.38867° N, -71.51129° W
- 3 - 41.3883° N, -71.51095° W
- 4 - 41.38807° N, -71.51136° W

Winter Site

- 1 - 41.38725° N, -71.51301° W
- 2 - 41.38724° N, -71.51292° W
- 3 - 41.38701° N, -71.51295° W
- 4 - 41.38701° N, -71.51304° W

Proposed Species

Eastern Oysters (*Crassostrea virginica*),
Quahogs (*Mercenaria mercenaria*)

Summary

I plan to grow Oysters and Quahogs will at this site using several proven aquaculture methods including grow-out bags, cages, rack and bag systems, and direct bottom planting. Both of these species are native to the immediate area.

I have 5 years experience growing oysters in the immediate area both with a commercial viability permit at this location, and also with my parents Lisa and Chris Van Hemelrijck under their dockside permit. Both my parents and grandfather own property overlooking the site, and my family has lived on these 2 waterfront properties for 4 generations. I grew up directly in view of this area as a year round resident, allowing me to become very familiar with this location. I have also completed the Applied Shellfish Farming course at Roger Williams University with Dale Leavitt.

Low tide events (<.5ft below mean) might pose an issue in cold winters, and for this reason I am applying for a winter location in nearby deeper water as well. Cages will be



used at the winter site and will be placed on the sea floor remaining submerged by ~5ft of water at low tides. Gear at the primary site will be on the seafloor as well and will remain submerged in all but the lowest tides. Great care will be taken to ensure that the site appears orderly and presentable.

Design & Operation

Primary Site - Several different methods will be used at the primary site including grow out bags in various configurations, cages, and direct bottom planting. The water depth at this site ranges from a foot to a foot and a half at mean low tide, so all gear used will be designed to maintain a low profile. The site and all gear will be adequately marked with buoys to ensure it is not a navigational hazard. I plan to start small at first and work up to full operating capacity over about a 3 year period.

Grow out bags will be organized in trawls throughout the site. Two configurations will be used to keep the bags slightly elevated off the seafloor: 5" diameter PVC feet will be attached to bags, and racks will be constructed of 3" PVC with bags attached to the top. The bags with PVC feet will be clipped to lines and anchored to the seafloor with helicle screws or weighted anchors, and the PVC racks will be driven into the sand. The maximum height of both of these configurations will be 8", and a maximum of 1500 bags will be used.

Cages with bays to hold grow out bags will be used in the Eastern corner of the site where the water is deepest. Cages are heavy enough to be placed as is on the sand with detachable buoys to mark and access these cages at higher tides. Cage heights will be 14 - 18", and a maximum of 80 cages will be used.

Oysters and quahogs will also be planted directly into the seafloor in the center of the site.

Winter Site - Cages from the primary site will be relocated to the winter site for the months of December through March each year. None of the other gear types will be used here, and a maximum of 80 cages will be used. The site and all gear will be adequately marked with buoys when gear is onsite.

Seed Stock Origin

Seed cultured in waters from within Point Judith Pond will be used whenever possible. In cases where seed must be sourced from other biosecurity zones it will be from an approved aquaculture facility and accompanied by a shellfish pathology report.

Seed stock from areas not approved for the harvest of shellfish will be recorded to track purchase data, marked using color-coded zip ties, and kept in marked trawls for 12 months before shellfish are offered for sale/consumption.



I don't anticipate any significant effects on erosion or deposition processes in the area. The site does not abut the shore, and aquaculture sites in the area using the same or similar methods have not been shown to significantly impact these processes.

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

The shellfish farming equipment I intend to use is known to create refuges for many marine species, attracting a variety of small fish and crustaceans, along with some commercially important species as well. Juvenile tautog, black sea bass, lobsters and others can often be found using Point Judith Pond shellfish farms for protection as they grow. If anything, an increase in abundance and diversity of plant and animal life is expected.

(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 proposed site does not border the shoreline or significantly interfere with access to this area of the pond. All proposed gear will be low-profile and kept tight along the seafloor to minimize any impact it may have.

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

All grow-out gear is designed to allow the maximum flow of water to pass through the area because it is necessary for good shellfish growth, so the typical flow of water through the area will not be impeded. The gear I plan to use does not cause sedimentation, and activity at the site will have no net effect on turbidity.

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

Shellfish are filter feeders, and the species I intend to cultivate are known to improve water quality in the area where they are farmed. Shellfish farming is known to clarify water in the local environment and stimulate denitrification, combating harmful algae blooms and benefiting many local species including eel grass. No chemicals or feed of any kind will be used or needed in the operation of the farm.

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

The proposed site is not on or near any known sites of historic or archaeological significance.

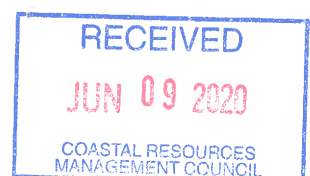
(10) demonstrate that the alteration or activity will not result in significant conflicts with water-dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce, and;



Activity in the area will not be significantly affected by the proposed farm. This area is rarely used for recreational activities. It is a shallow area that most mariners avoid in all but the highest tides, and it does not contain shellfish in high enough concentrations to attract harvesters. The farm will not obstruct typical navigation in any significant way, and the ability of the public to access the site and surrounding area (by kayak, paddle board or on foot for example) will not be impeded.

(11) demonstrate that measures have been taken to minimize any adverse scenic impact (see Section 330).

Every effort will be made to ensure that the equipment is visually innocuous. All gear will be designed to be as minimal and low profile as possible and arranged in orderly rows to achieve this end.



1st Coast Guard District in Boston, MA or at the
of the District Engineer, Corps of Engineers in
rd, MA.
refer to charted regulation section numbers.

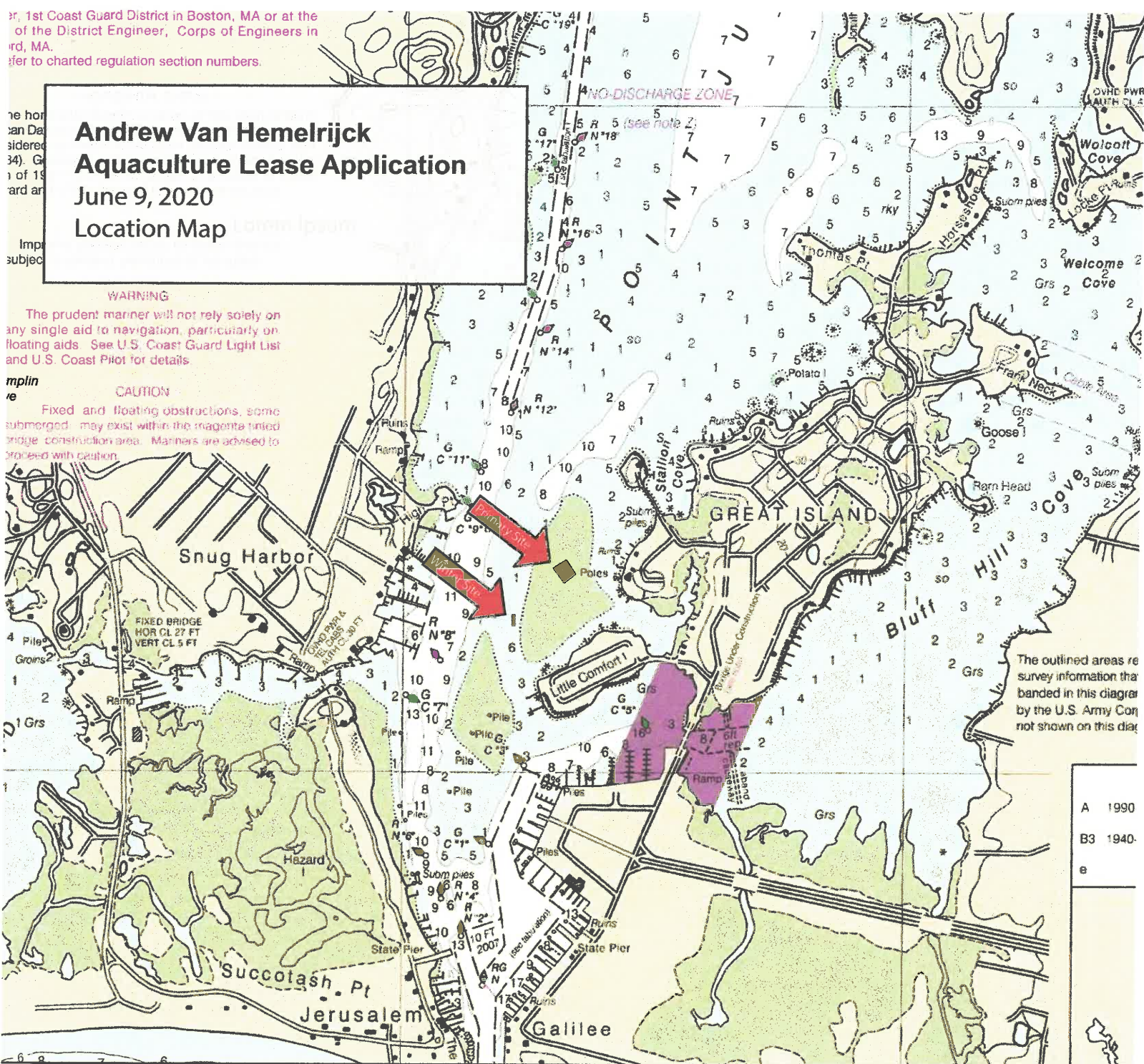
Andrew Van Hemelrijck **Aquaculture Lease Application** June 9, 2020 Location Map

WARNING

The prudent mariner will not rely solely on
any single aid to navigation, particularly on
floating aids. See U.S. Coast Guard Light List
and U.S. Coast Pilot for details.

CAUTION

Fixed and floating obstructions, some
submerged, may exist within the magenta tinted
bridge construction area. Mariners are advised to
proceed with caution.



The outlined areas re
survey information that
banded in this diagram
by the U.S. Army Con
not shown on this dia

A 1990
B3 1940
e

Primary Site:

W - 41.38845° N, -71.51172° W
 N - 41.38867° N, -71.51129° W
 E - 41.3883° N, -71.51095° W
 S - 41.38807° N, -71.51136° W

Winter Site:

NW - 41.38725° N, -71.51301° W
 NE - 41.38724° N, -71.51292° W
 SE - 41.38701° N, -71.51295° W
 SW - 41.38701° N, -71.51304° W

0 Nautical Miles

0 Yards 500

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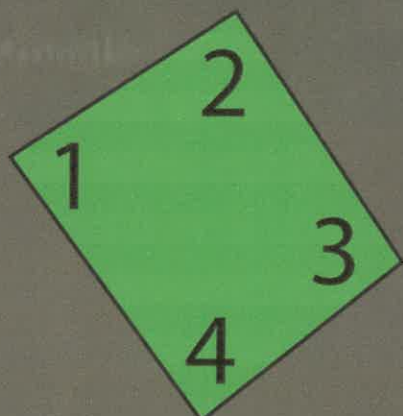
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*Taken from NOAA Chart #13219

**Andrew Van Hemelrijck
Aquaculture Lease Application**

June 9, 2020

Primary Site Plans

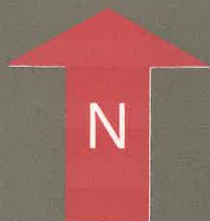


GPS Coordinates:

- 1 - 41.38845° N, -71.51172° W
- 2 - 41.38867° N, -71.51129° W
- 3 - 41.3883° N, -71.51095° W
- 4 - 41.38807° N, -71.51136° W

Dimensions:

146ft x 166ft
.55 acres



0 100
Feet

True North

Mean Low Tide

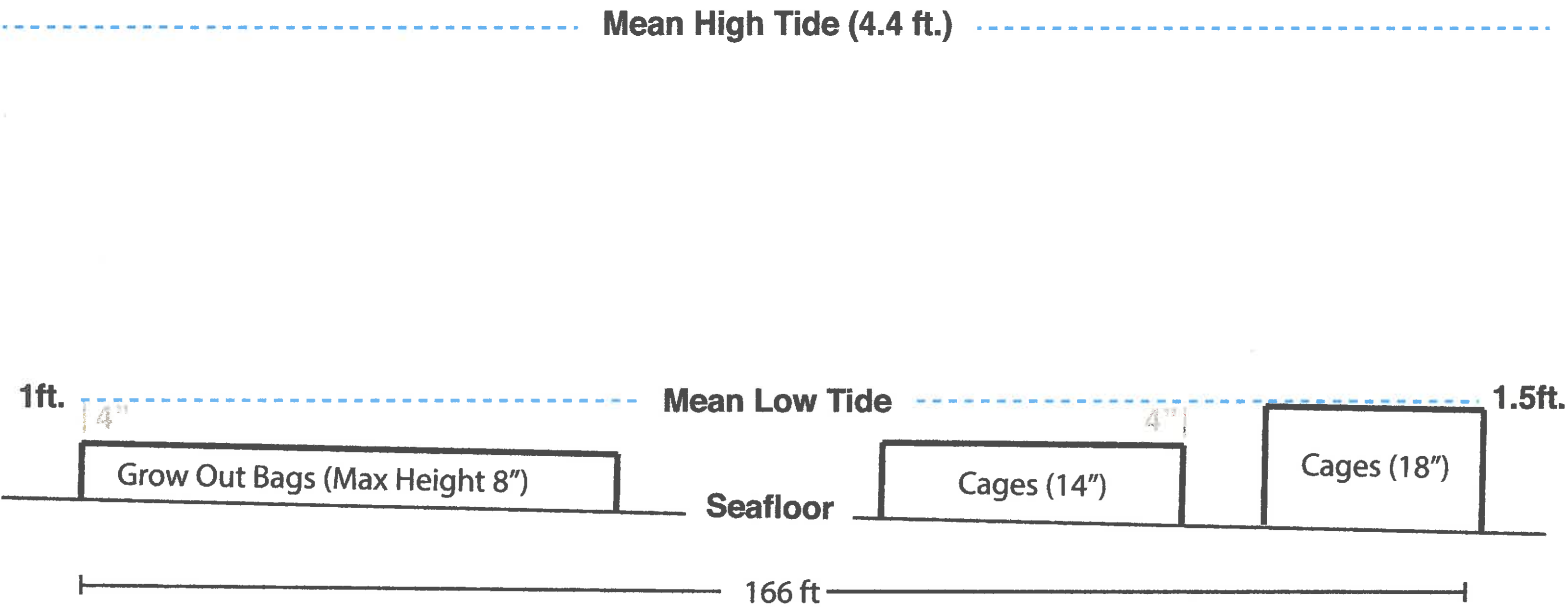
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Andrew Van Hemelrijck
Aquaculture Lease Application
June 9, 2020
Primary Site Plans - Side View

Side View



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Andrew Van Hemelrijck
Aquaculture Lease Application
June 9, 2020
Winter Site Plans

1 2
4 3

Sandbar

543 ft

GPS Coordinates:

- 1 - 41.38725° N, -71.51301° W
- 2 - 41.38724° N, -71.51292° W
- 3 - 41.38701° N, -71.51295° W
- 4 - 41.38701° N, -71.51304° W

Mean Low Tide

Little Com
Island

Dimensions:
87ft x 25ft
.05 acres

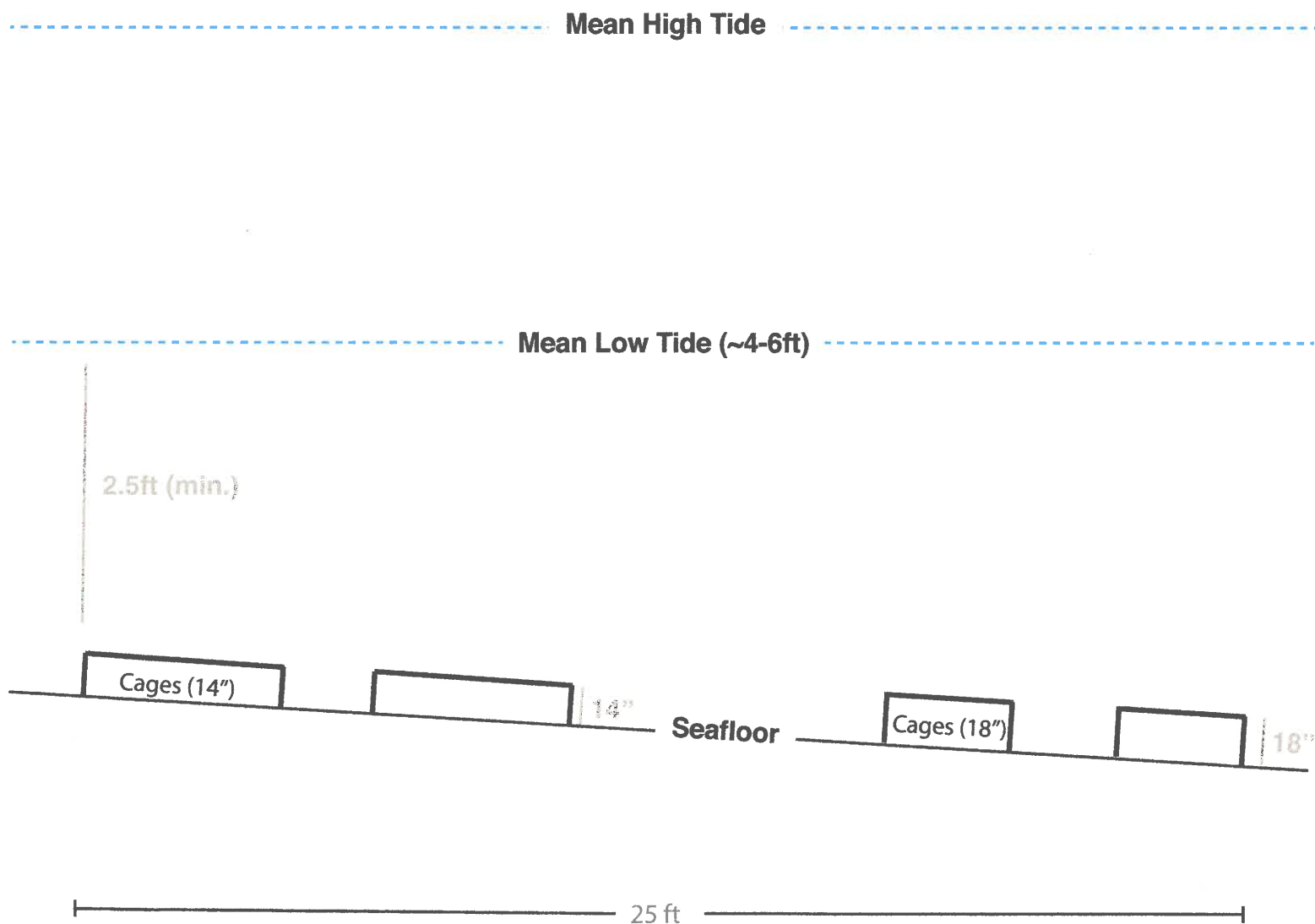


0 100
Feet

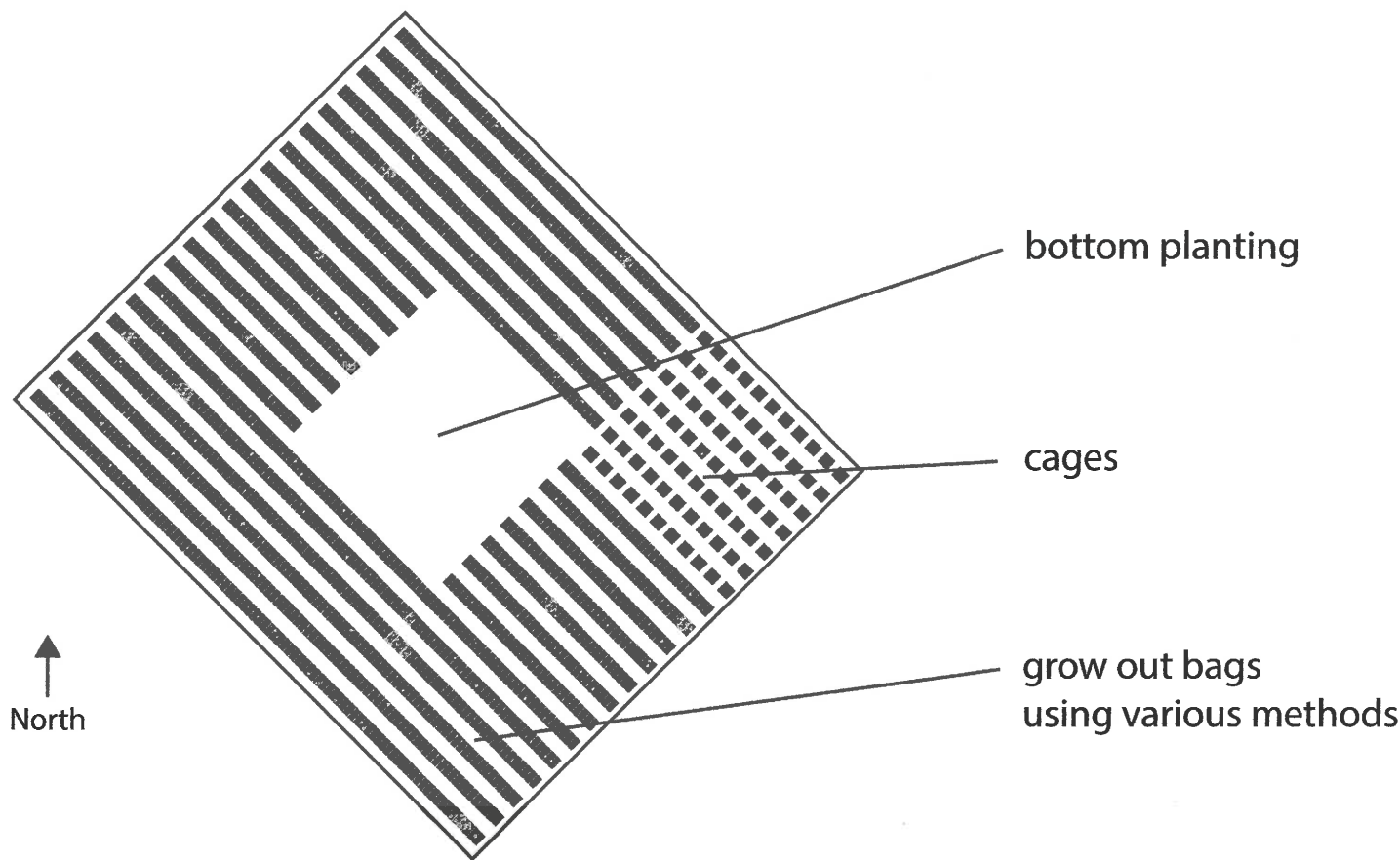
True North

Andrew Van Hemelrijck
Aquaculture Lease Application
June 9, 2017
Winter Site Plans - Side View

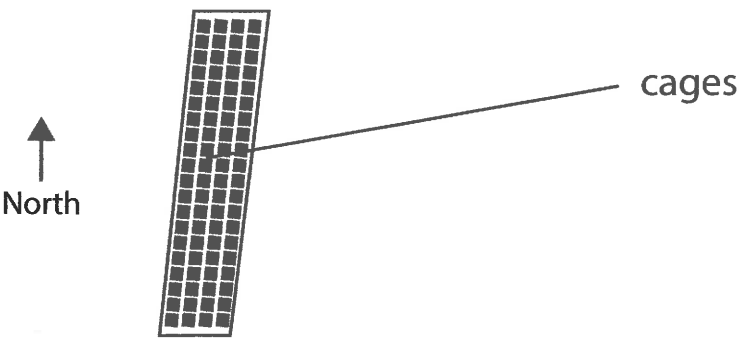
Side View



Primary Site

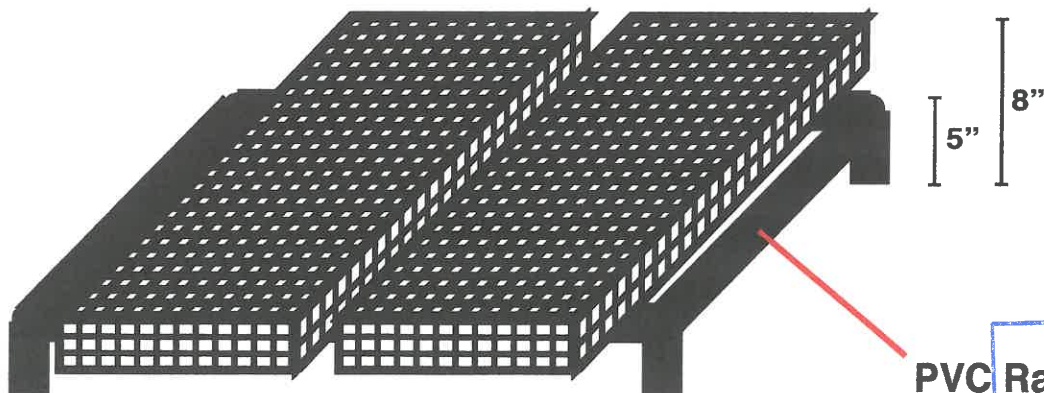
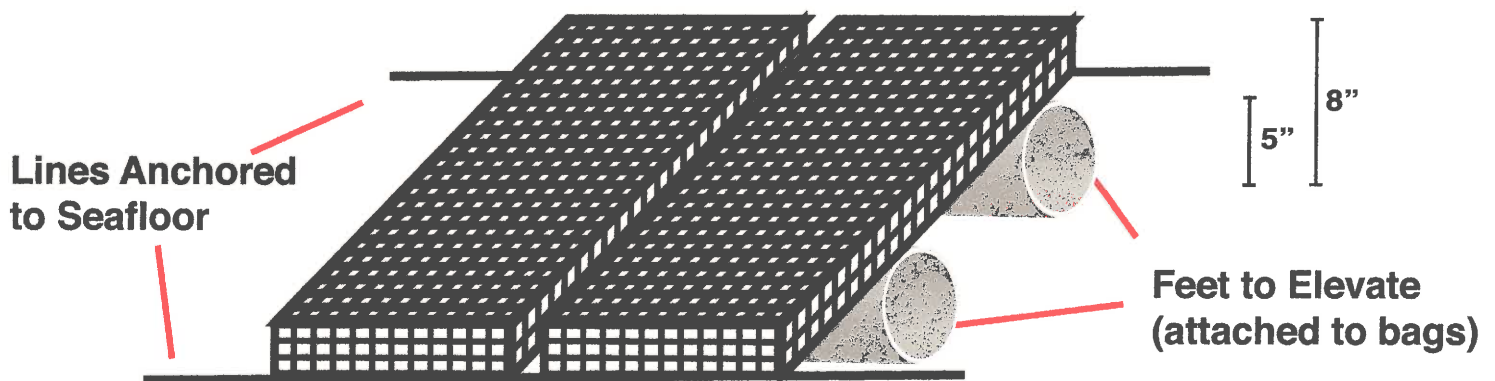
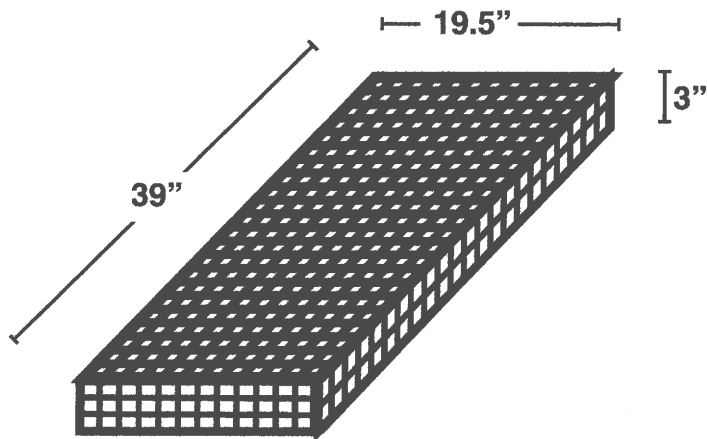


Winter Site

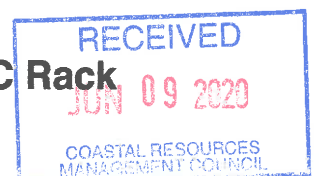


Andrew Van Hemelrijck
Aquaculture Lease Application
June 9, 2020
Gear Details

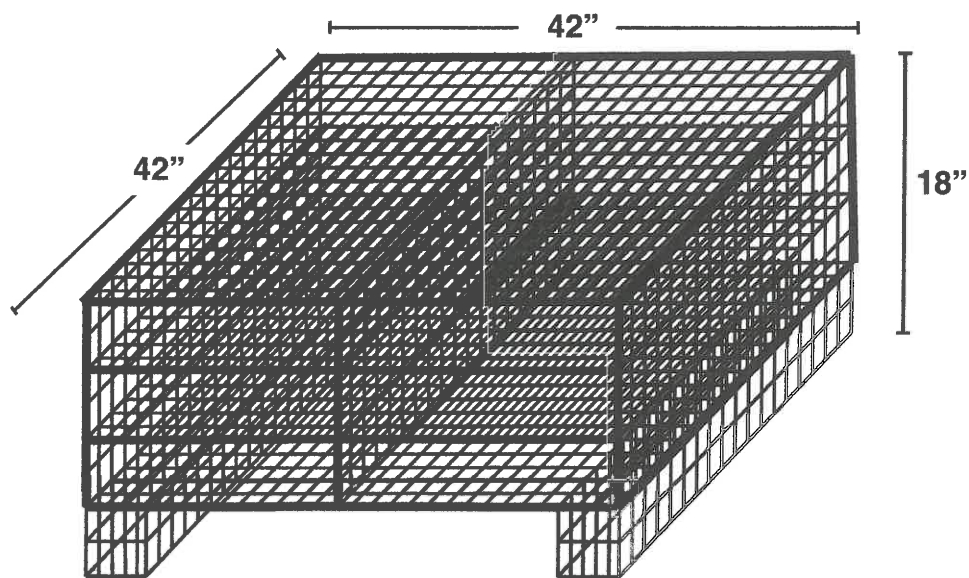
Grow-out Bags -



PVC Rack



Cages -



Six bay bottom growing cage with shock cord retainers and reinforcing end caps on the feet. Cage 4 1/2" 8 gauge Aqua-Marine mesh, Feet 1 1/2" HD Lobster trap wire

* 3 high by 2 wide are pictured, but 2 high by 3 wide will be used as well.

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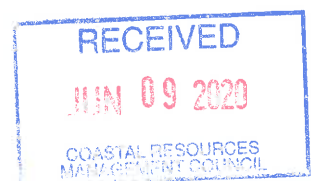
Photos -



Facing North, looking at Primary Site



Facing East, from Primary Site





Facing South, from Primary Site, Winter Site is on the right of the frame.



Facing West, from Primary Site, Winter Site is on the left of the frame.





From Little Comfort facing WNW. Winter site is on the right of the frame.

