



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: 2020-07-068 Date: July 29, 2020

This office has under consideration the application of:

Jordan Viera  
18 Wilson Street  
Bristol, RI 02809

for a State of Rhode Island Assent to construct and maintain:

a two-acre oyster farm using submerged cages and bottom plant.

Project Location:	The Cove
City/Town:	Portsmouth
Waterway:	Long Neck Cove

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 August 29, 2020.

/lat



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

## APPLICATION FOR STATE ASSENT

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

Project Location <u>The Cove</u> <u>Portsmouth</u> No. Street City/Town		File No. (CRMC USE ONLY) <u>2020-07-068</u>
Owner's Name <u>Jordan Viera</u>		Plat: Lot(s):
Mailing Address <u>18 Wilson St.</u> City/Town <u>Bristol</u> State <u>RI</u> Zip Code <u>02809</u>		Contact No.: <u>401-533-2984</u>
Name of Waterway <u>Long Neck Cove</u>		Estimated Project Cost (EPC): <u>≤ \$1000</u>
		Application Fee: <u>\$50</u>
Longitude/latitude of all corners of Proposed Aquaculture Project Location (preferably in decimal degrees): NE - 41.637582N 071.222875W NW - 41.637582N 071.223583W SE - 41.636877N 071.222746W SW - 41.636893N 071.224441W		

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): No

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 and Addresses of adjacent property owners whose property adjoins the project site. (Accurate addresses will insure proper notification. Improper addresses will result in an increase in review time.)

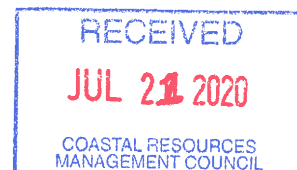
55 Hummocks Ave Portsmouth RI 02871

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

Jordan Viera  
Owner's Signature (sign and print)


PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM



**STATEMENT OF DISCLOSURE AND APPLICANT AGREEMENT AS TO FEES**

The fees which must be submitted to the Coastal Resources Management Council are based upon representations made to the Coastal Resources Management Council by the applicant. If after submission of this fee the Coastal Resources Management Council determines that an error has been made either in the applicant's submission or in determining the fee to be paid, the applicant understands that additional fees may be assessed by the Coastal Resources Management Council. These fees must be paid prior to the issuance of any assent by the Coastal Resources Management Council.

The applicant understands the above conditions and agrees to comply with them.

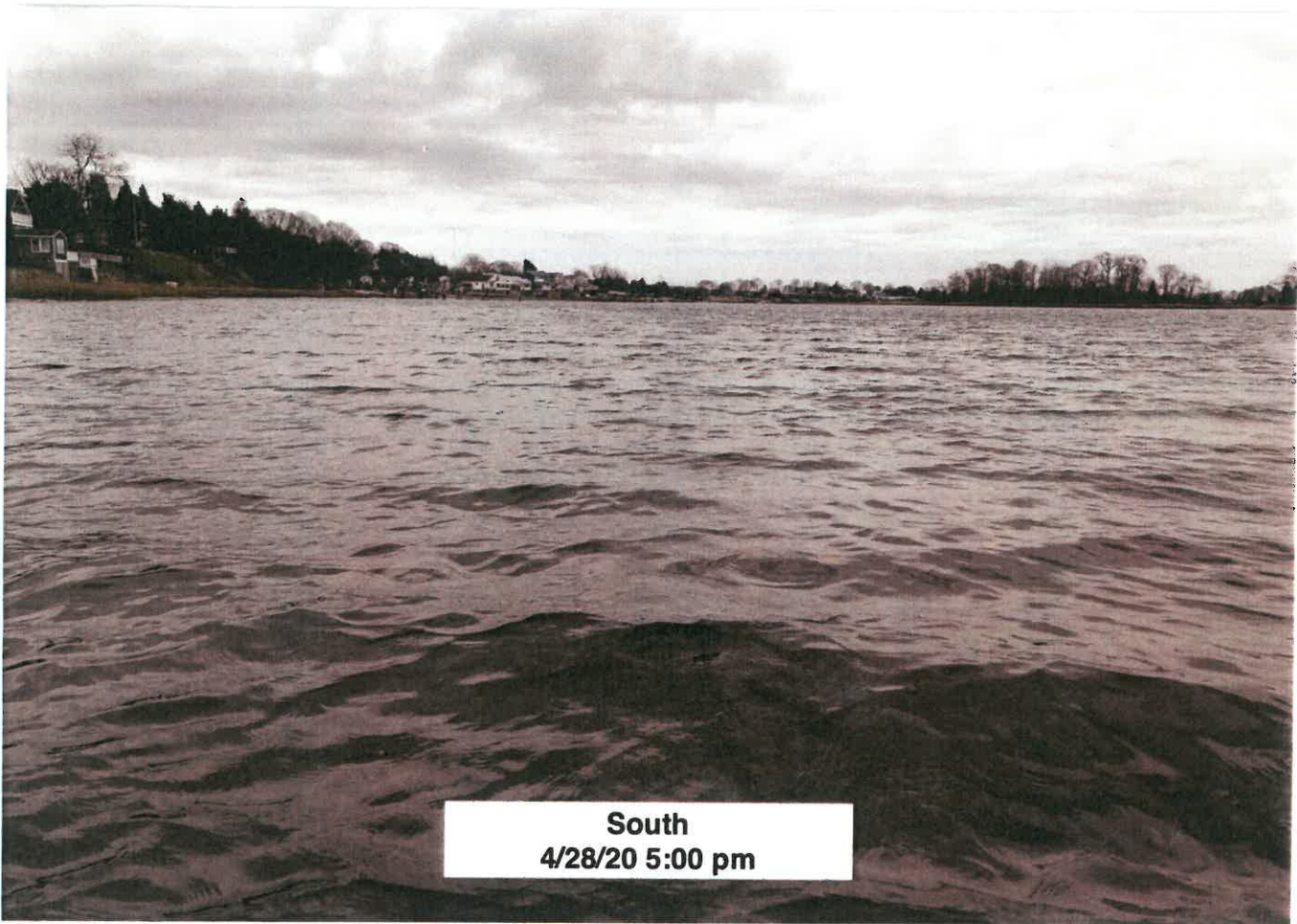
  
Signature

7/19/20  
Date

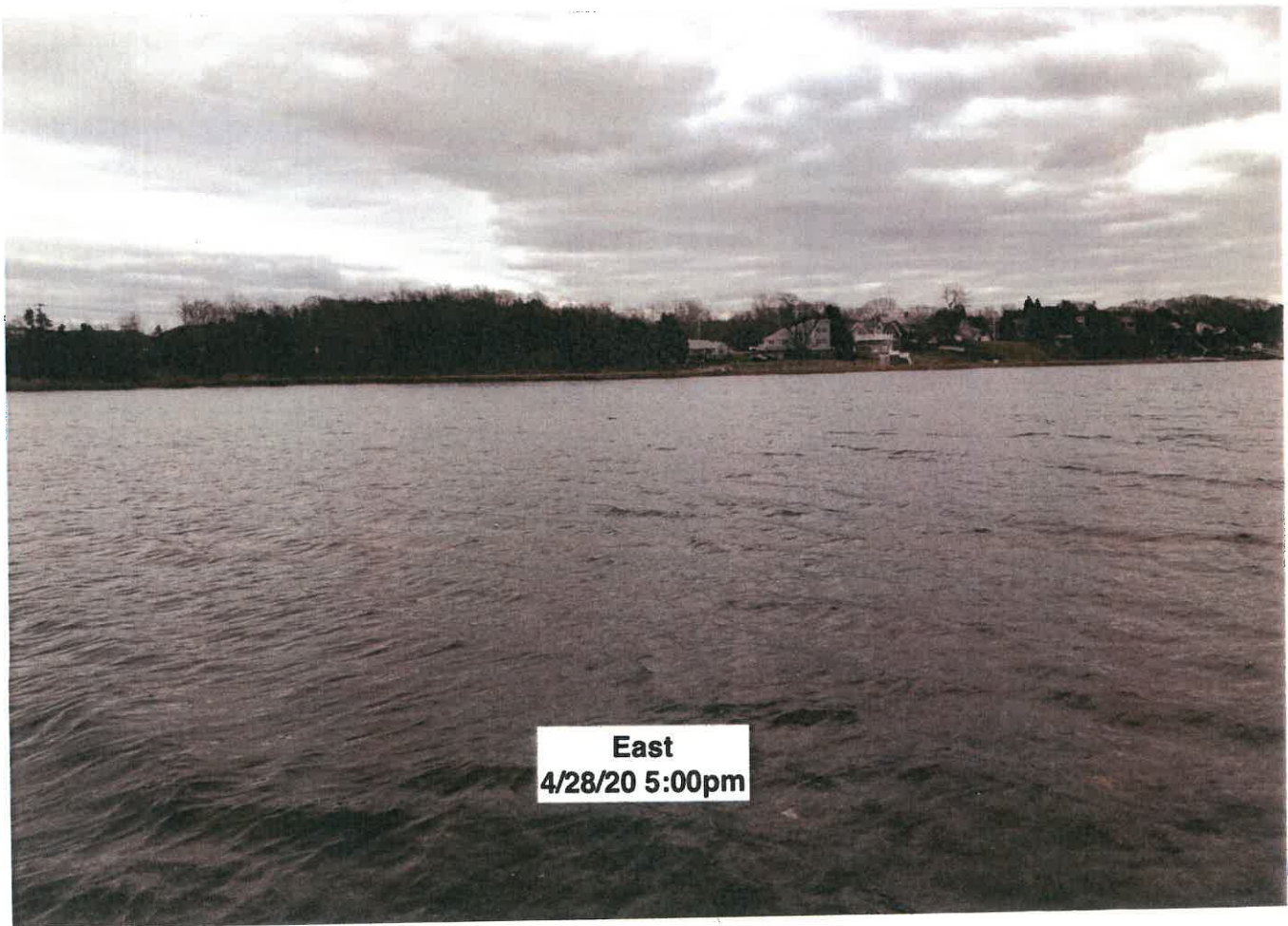
Jordan Viera 18 Wilson St Bristol RI 02809  
Print Name and Mailing Address







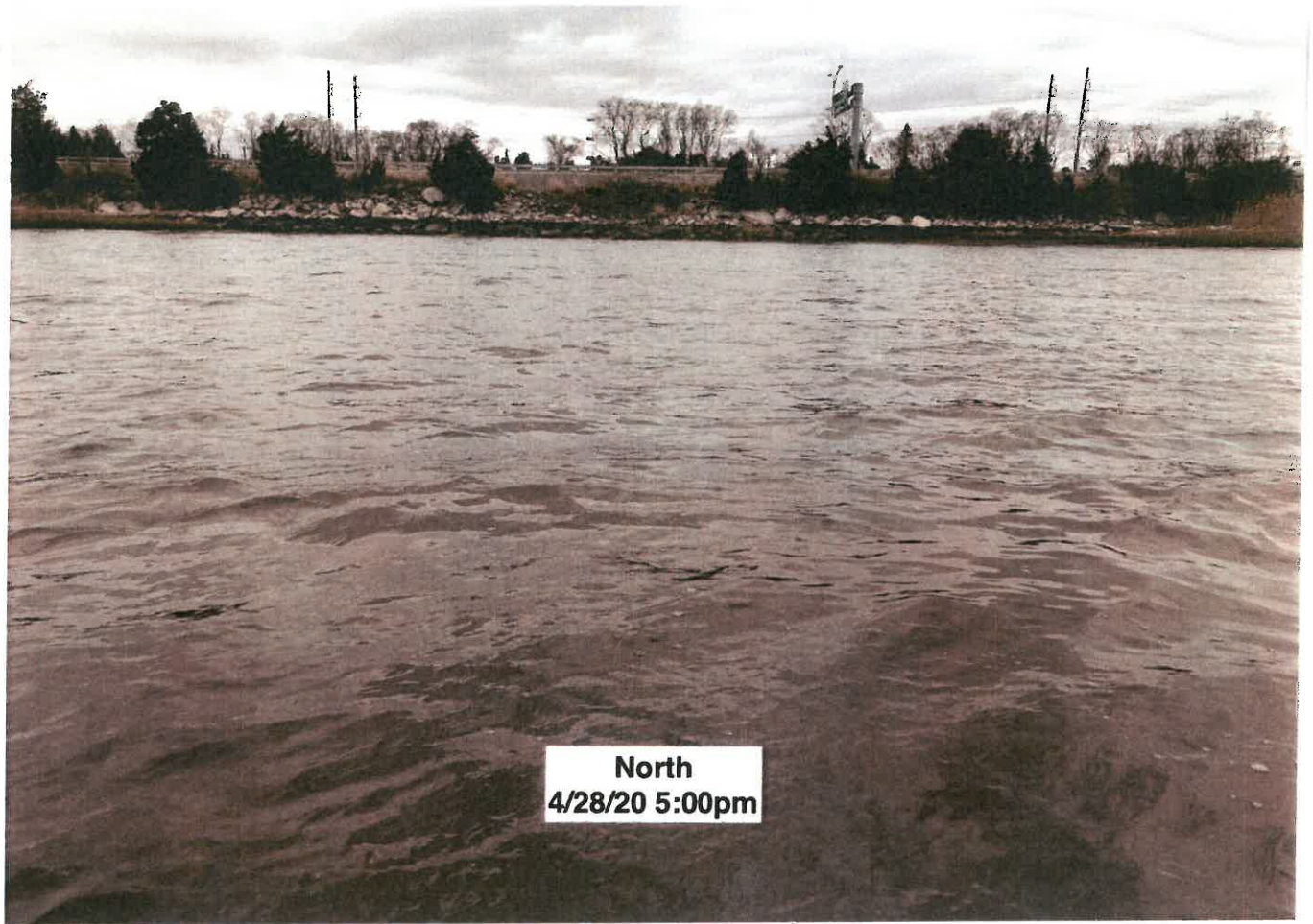
**South**  
**4/28/20 5:00 pm**



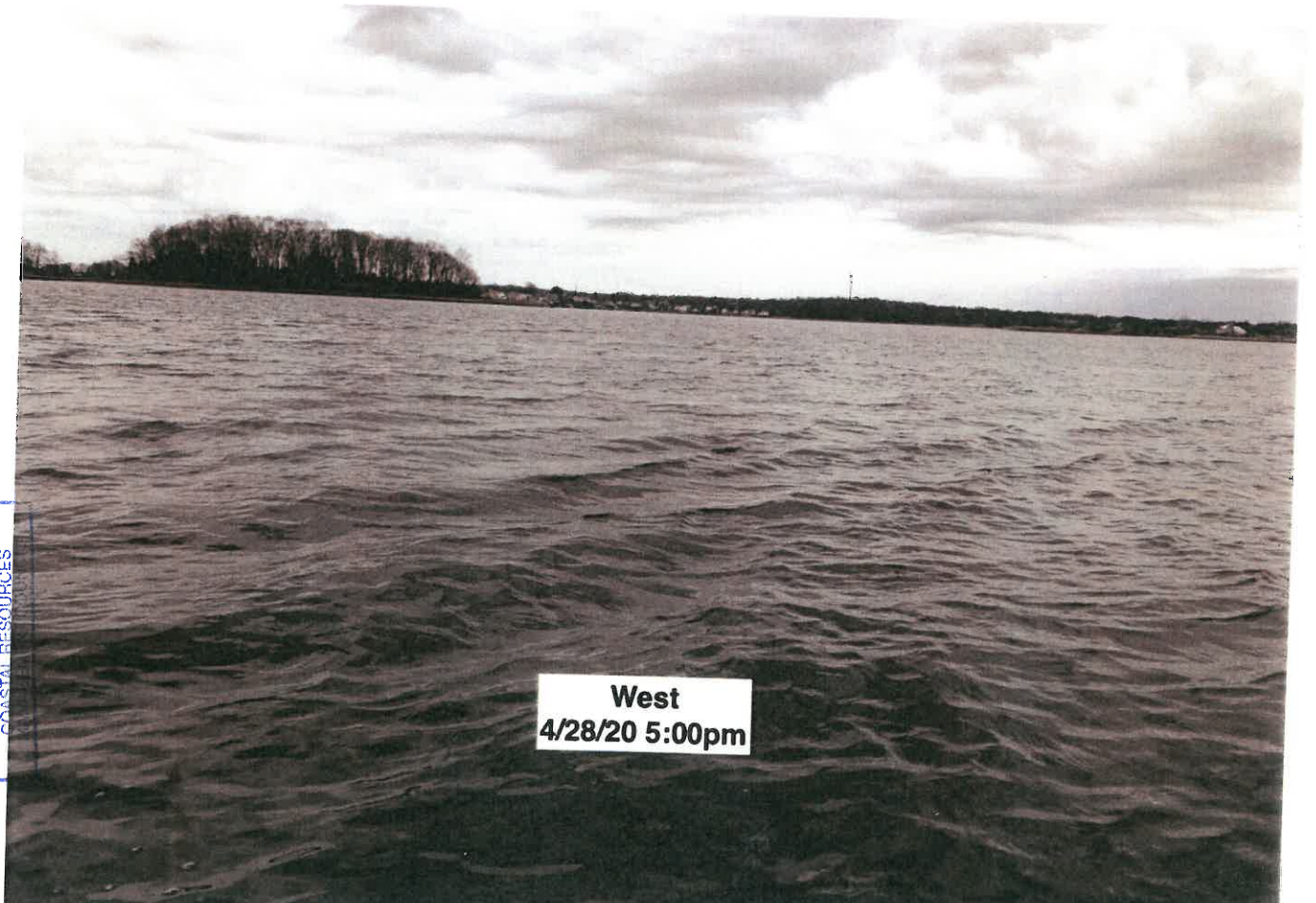
**East**  
**4/28/20 5:00pm**

RECEIVED  
JUL 20 2020  
COASTAL RESOURCES  
MANAGEMENT COUNCIL





North  
4/28/20 5:00pm



West  
4/28/20 5:00pm

RECEIVED  
JUL 20 2020  
COASTAL RESOURCES

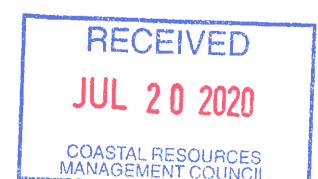
Aquaculture Site Proposal  
Jordan Viera  
7/2020

This is a proposal for the start of a 2.0 acre shellfish farm in the Northeast corner of "The Cove" in Portsmouth RI. Seed oysters will start in oyster bags, that will be held in six slotted bag cages. As the oysters grow they will be sorted and some of the large enough inventory will be transferred to two tiered bottom tray cages, others will be bottom planted. As product reaches a marketable size, both cage and bottom planted oysters will be harvested and sold to local distributors.

Over the past few years there has been increasing demand for high quality "craft" oysters. While the amount of farmers in RI has been steadily increasing, so has the demand for this product; markets are expanding and as of recently shellfish farmers have been more successful than ever. This proposed site is an ideal location for growing shellfish and would almost certainly be profitable, benefitting not only the grower, but the economy of RI as a whole.

The location of this site is ideal for a shellfish farm; oysters, quahogs and mussels thrive naturally in these waters. This area is inaccessible on foot and unappealing to recreational boaters due to the shallow waters and close relation to a heavily trafficked road. Lack of visitors and shallow waters is both an ideal and hard to find combination in RI waters. Being close to a heavily trafficked road may not be aesthetically pleasing but there are no physical downsides; in fact a farm would likely be beneficial to the ecosystem by mitigating the negative impacts. It should also be noted that currently this area is covered in debris and litter; this would not be the case if a shellfish farm was present here.

In addition to the economic and environmental benefits of a shellfish farm, its simply a lifestyle that many people, including myself, desire. I am a graduate of the University of Rhode Island's Fisheries and Aquaculture Technology program; I have completed Dr. Dale Leavitt's Applied Shellfish Farming course, I have been working in the aquaculture industry full time for five years. I enjoy being a steward of the environment and hope to bring my passion and skills in shellfish farming to Rhode Island waters.



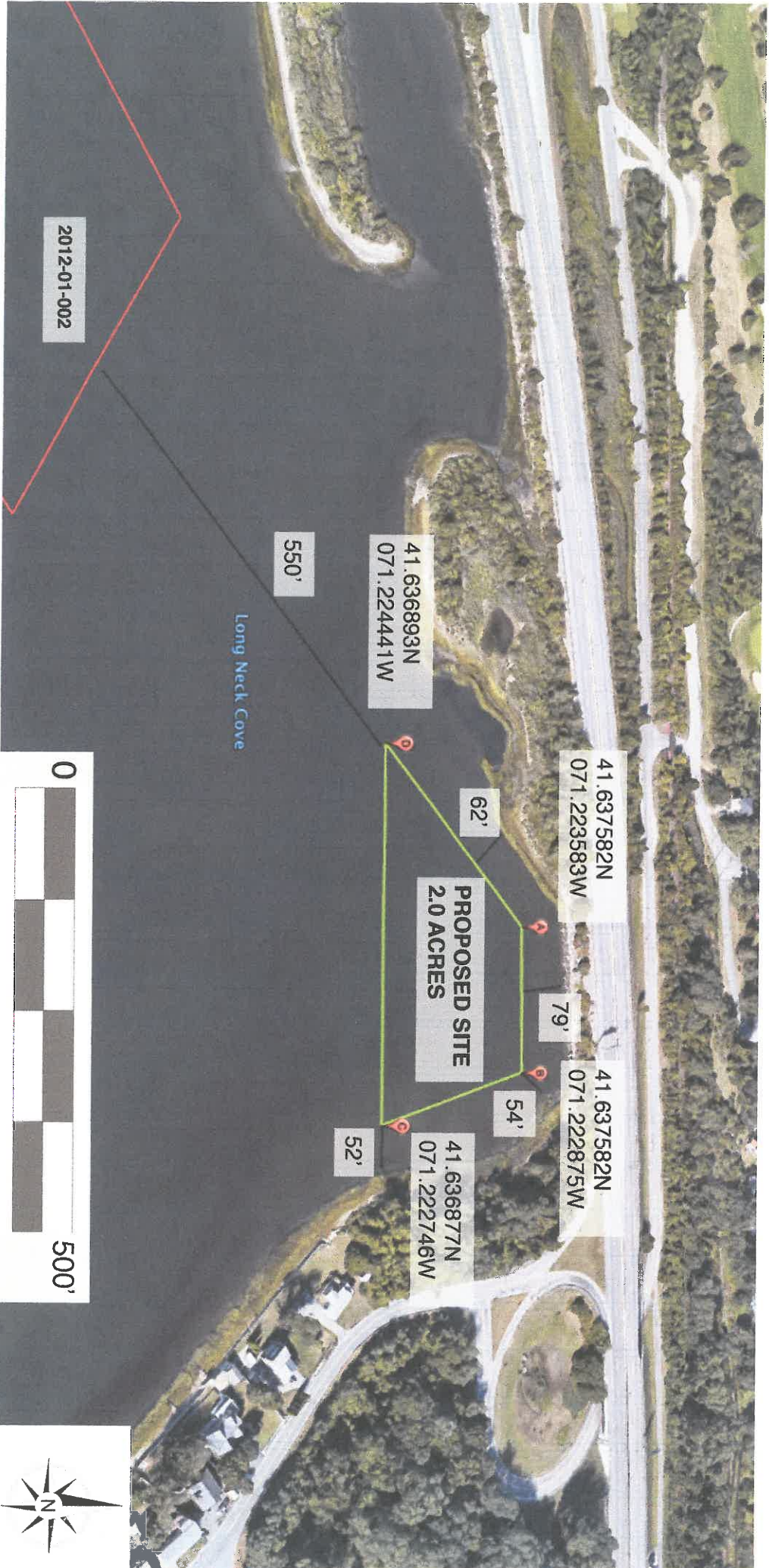




**Proposed Aquaculture Site:  
Jordan Viera  
7/2020**

RECEIVED  
JUL 20 2020  
COASTAL RESOURCES  
MANAGEMENT COUNCIL



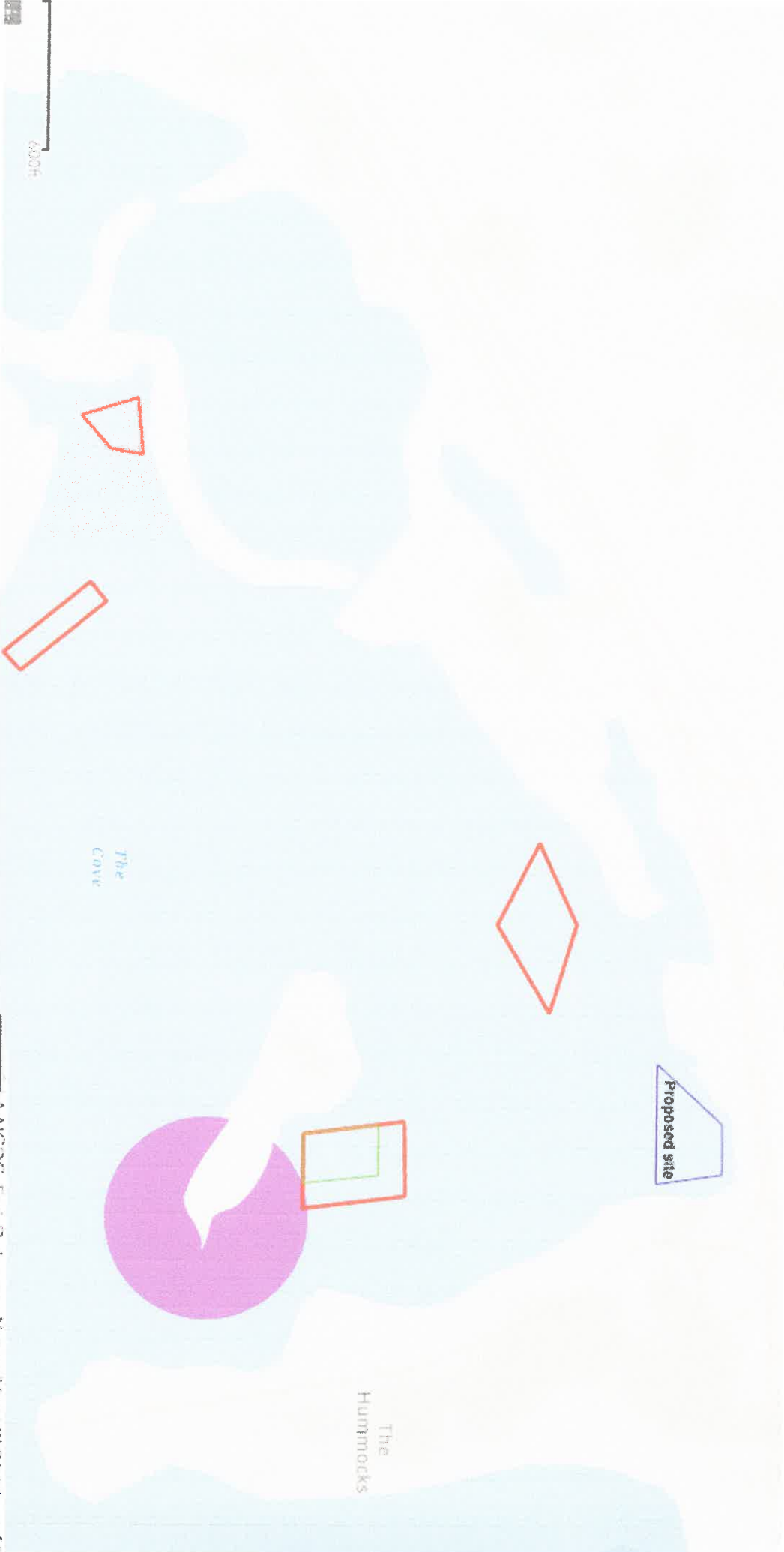


**Proposed Aquaculture Site:**  
**Jordan Viera**  
**7/2020**

RECEIVED  
JUL 20 2020  
COASTAL RESOURCES  
MANAGEMENT COUNCIL



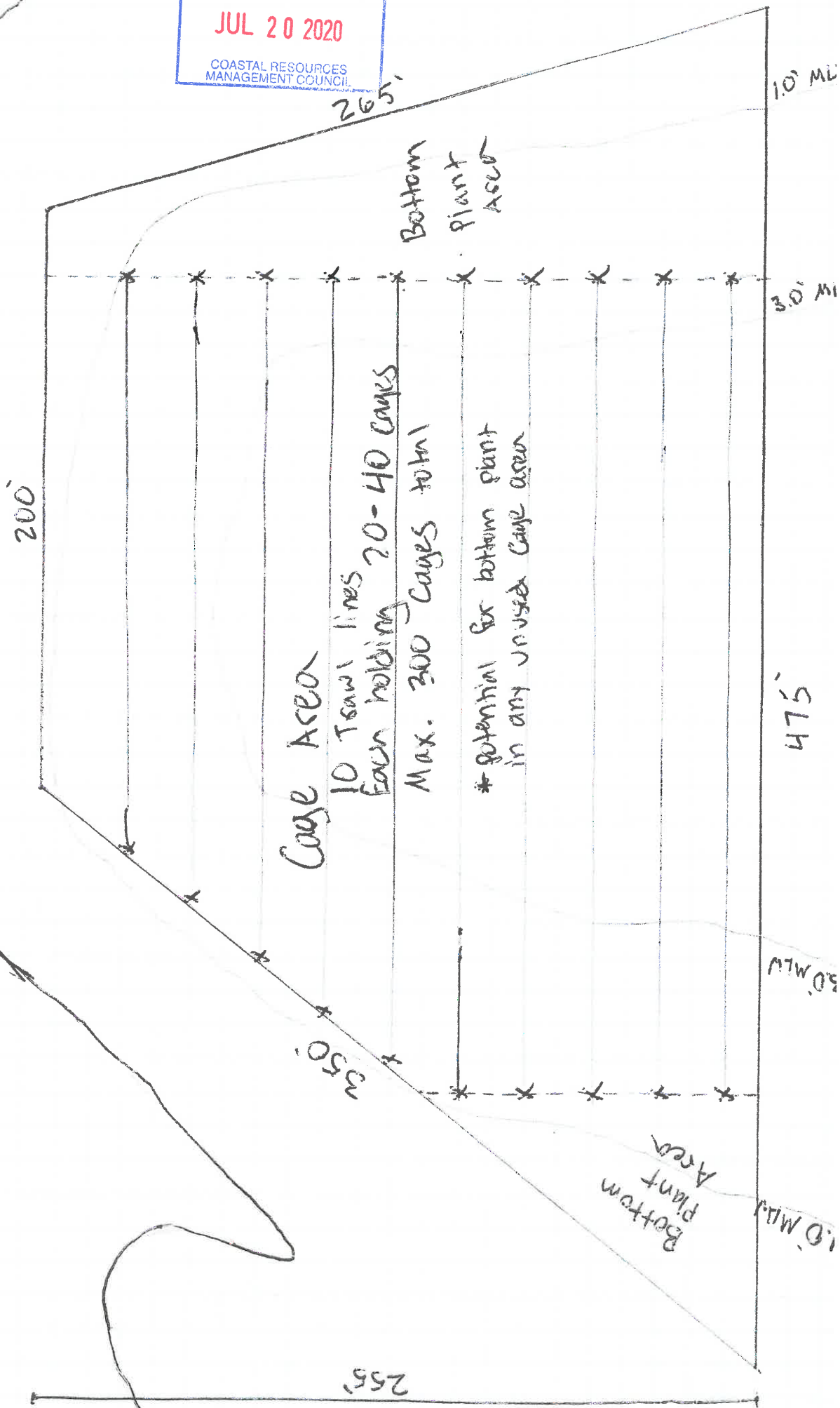
RECEIVED  
JUL 20 2020  
COASTAL RESOURCES  
MANAGEMENT COUNCIL



Proposed Site Layout  
Jordan Viera 7/2020

1" = 48'

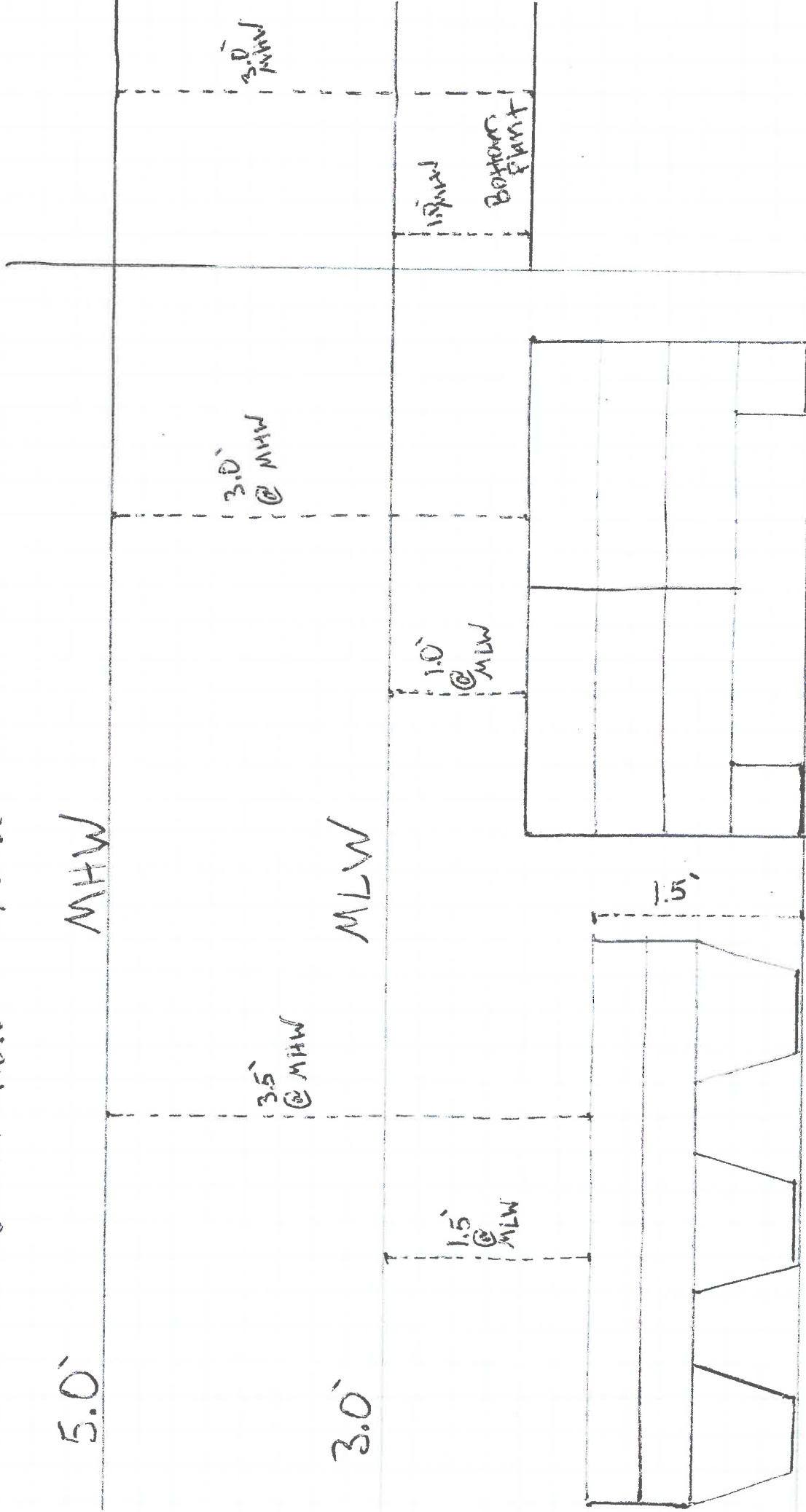
Shoreline





Site Cross Section  
 Susan Viera 7/2020

1" = 1'



3' x 4' x 1.5' Double Slanted  
 Tray Cage

3.5' x 3.5' x 2' Six Slot  
 Bay Cage

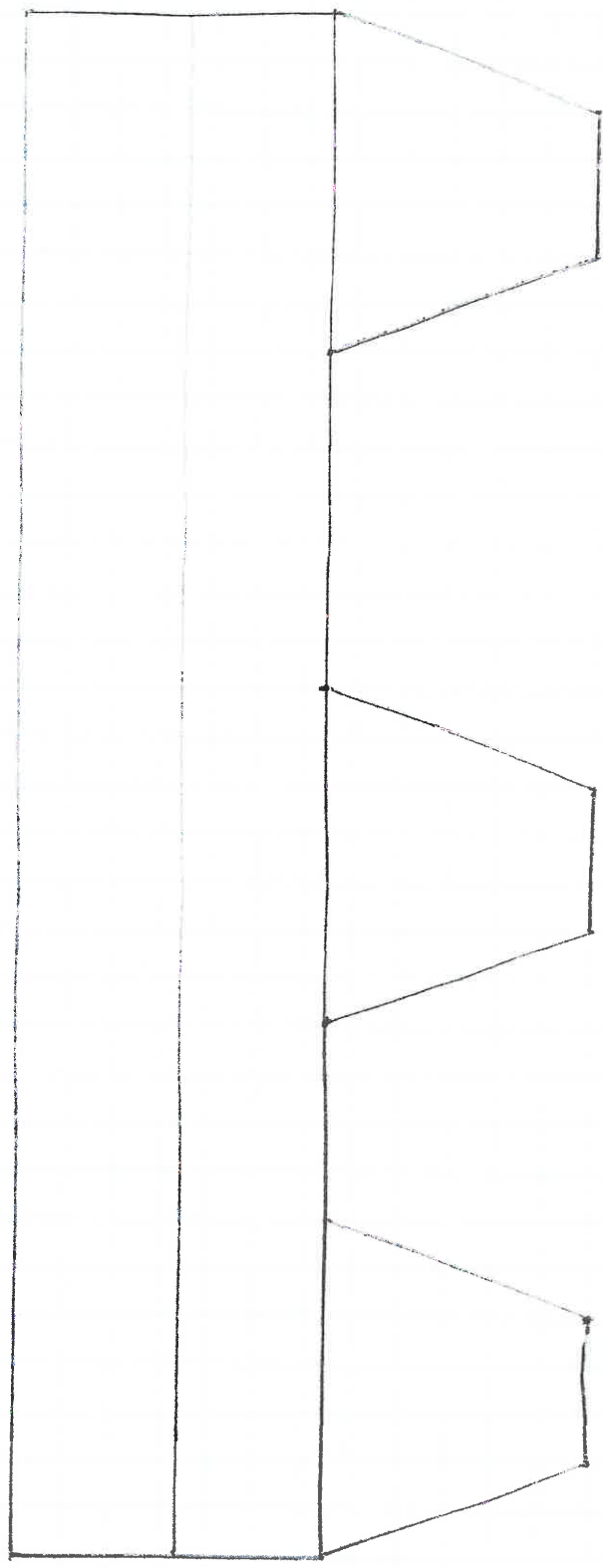
RECEIVED  
 JUL 20 2020  
 COASTAL RESOURCES  
 MANAGEMENT COUNCIL

RECEIVED  
JUL 20 2020  
COASTAL RESOURCES  
MANAGEMENT COUNCIL

2" = 1'

Tory Caye  
Details

Sordan Vera  
7/2020



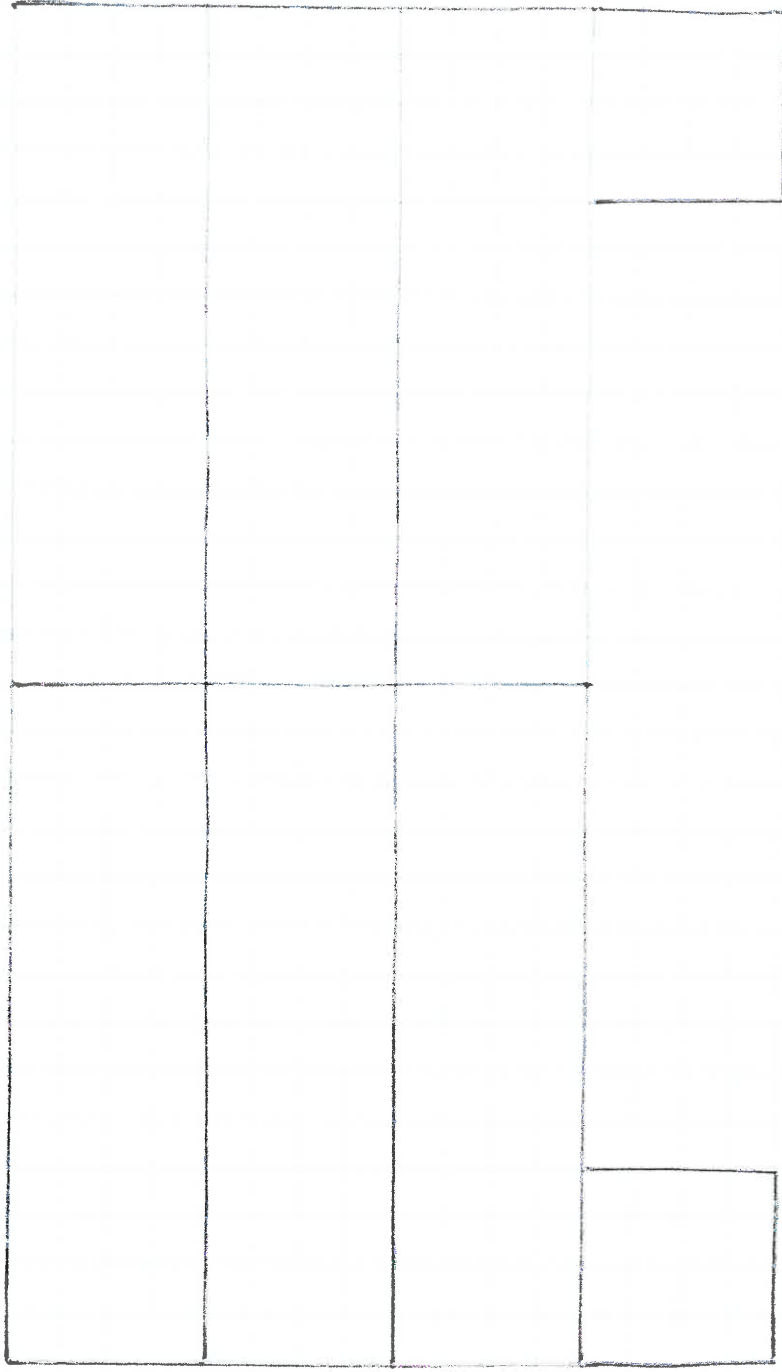
Long Side  
1.5'



Short Side

4.0'





2.0'

3.5'

Bag Cages will be 3.5' x 3.5' x 2.0' and hold 6 standard oyster bags

Bag Cage Details

Susan Viera 7/2020



Aquaculture Operational Plans  
Jordan Viera  
7/2020

1. Jordan Viera 18 Wilson Street Bristol RI
2. CRMC File Number - D 2020-04-016
3. DEM Aquaculture License Number - N/A
4. This location will be used as a commercial lease site for both nursery and growout of oysters. Seed will be grown throughout 100 bag cages, each containing six oyster bags; 200 bottom tray cages, along with basic bottom planting will be used for growout.
5. The proposed site is in the Northeast corner of "The Cove" in Portsmouth RI. Center coordinate - 41.637227N 071.223372W (for corner coordinates see maps).
6. The main species raised on this site will be the Eastern Oyster, *Crassostrea virginica*. However, we would like to be able to experiment with and possibly growout the Northern Quahog, *Mercenaria mercenaria*. All seed will meet biosecurity board protocols for pathology testing.
7. Two types of cages will be used for growing, with a maximum of 300 cages:  
Bag cages, each containing six oyster bags, will be used to raise seed. These cages will be kept on the southern three trawl lines (See Proposed Site Layout), which is the deepest part of the proposed site. They will be held onto the line with gangions, thus helping stay organized and limiting the amount of buoys needed on the site. See "Bag Cage Details" and "Site Cross Section" for cage dimensions. Bottom tray cages will be used for growout. These cages will be kept on the North most seven trawl lines (See Proposed Site Layout). They will be held onto the line with gangions, thus helping stay organized and limiting the amount of buoys needed on the site. See "Tray Cage Details" and "Site Cross Section" for cage dimensions.
8. The site will be marked at each corner by a standard pot buoy with assent numbers, unless otherwise instructed by CRMC.
9. DEM Shellfish Harvesting Classification - GA4-1
10. Seed will be purchased and brought to site following state protocol in the spring. Seed will be dispersed throughout the bag cages. Over the next couple months, on a biweekly basis cages will get hauled up and washed, bags will be shaken to ensure even growth, and the cages will be put back down. On an as need be basis, cages will be held on the boat for air drying. After about two months, once seed has reached a sufficient size it will be sorted on a tumbler. Large enough seed will be transferred to tray cages and/or bottom planted and anything too small will go back into bag cages to be sorted again in the future. During growing season, the plan is to be on a cycle of washing and sorting all tray cages every two months. They will be hauled up, washed, tumbled and graded by size. Then redistributed throughout the cages based on size. Occasionally tray cages may be washed and air dried on the boat on an as needed basis. As product in tray cages reaches a marketable size, it will be sorted and bagged by hand directly out of the cage. As bottom planted areas reach marketable size, they will be hand raked, using an "oyster rake", allowed to purge in a bottom cage for a week and then hand picked and bagged. All product going to market will be harvested, handled, transported and sold strictly following Rhode Islands Shellfish handling, processing and selling regulations. Quahogs will be started in oyster bags and once of sufficient size will be bottom planted in bottom plant areas, they will then be covered in netting of the appropriate size until they are ready to be harvested with a bullrake. It is likely that quahogs will not be successful at this site.





11. Seed will always be purchased from a reputable source. Seed purchased from out of state will be pathology tested prior to shipment; this pathology report will then be submitted to the Aquaculture Coordinator five days before the planned shipment.
12. Currently, the plan is for all oysters to always be grown in approved waters. In the unlikely event that the business model changes and seed is grown in prohibited waters, strict records will be maintained and regular grading will be performed. The seed would be continually graded as often as possible, as they approach 30mm they will be moved to approved waters and kept separate from other crop. Strict records will be kept in a waterproof logbook of when the prohibited water seed came to the approved location.
13. In the unlikely event that seed is purchased from prohibited waters, they will be grown separate from other crop on the farm. When the seed arrives, they will go into cages that are marked with flagging tape, to identify them as prohibited water seed. When the seed gets sorted it will be sorted separate from any other product. Detailed notes and records will be kept on file during all operations. Once the product has been in the approved waters for at least 12 months it will be put on track to be sorted for marketable product. As previously stated, any cages of prohibited water seed would be marked with flagging tape for quick identification, in addition to this cages of the same cohort would always be kept on the same trawl line together. So in addition to flagging tape, we would also know complete trawl lines that contain prohibited water seed (i.e. "lines 7-10 contain all cages of prohibited water seed"). Prior to receiving any seed from prohibited waters, we would get in contact with the Aquaculture Coordinator, providing them with the source of the seed and making sure the pathology report had been received. Once this information has been confirmed, we will provide a date of shipment. When seed arrives it will be grown in the arrived waters of the site for a minimum of six months before being sold.



Jordan Viera

07/20

Coastal Resources Management Program - Section 1.3.1(A) - Category B Requirements

All persons applying for a Category B Assent are required to:

(1) demonstrate the need for the proposed activity or alteration;

***The demand for high quality shellfish has been continually growing over the past several years; even with the introduction of more farms there is still high demand. Our goal is to cultivate high quality oysters to help fill this void while also having a positive impact on the surrounding marine environment.***

(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; local approvals are required for activities as specifically prescribed for nontidal portions of a project in Sections 1.3.1(B), 1.3.1(C), 1.3.1(F), 1.3.1(H), 1.3.1(I), 1.3.1(K), 1.3.1(M), 1.3.1(O) and 1.3.1(Q); for projects on state land, the state building official, for the purposes of this section, is the building official;

***N/A***

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

***All activities will occur in the sub tidal regions of "The Cove" and there will be no impact on coastal lands.***

(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;

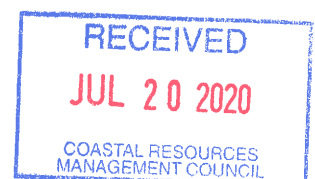
***Our goal is to always use the largest mesh size gear possible, not only does this allow more flow and food for the oysters but it will also be the least intrusive in terms of restricting natural water flow. Since our gear will have minimal to no impact on water flow and circulation we will not have any impacts on erosion and/or deposition processes.***

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

***Crassostrea virginica is a native species to this body of water. Lines and cages will act as habitat for other native marine species. It is unlikely that increasing the abundance of oysters in this small footprint of this site would have absolutely no impact on abundance and diversity of local marine fauna, however with the small size of this site, any impacts would be negligible. It should also be noted that any impacts would likely be positive, since oysters are known for increasing water quality.***

(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;

***This area within "The Cove" is inaccessible by foot and its shallow waters and close proximity to route 24 make it unappealing to boaters. The selected site has been studied throughout all seasons for the past couple years, occasionally kayakers can be seen in this area, but the described plans should have no impact on this activity.***



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

***As previously stated, we plan to always be using the largest meshed gear possible, thus reducing impacts on water circulation, flushing, turbidity and sedimentation to the point where they are negligible.***

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

***Oysters are known for their positive impacts on water quality. As oysters pump water over their gills they trap suspended particles of food and nutrients as well as sediment and chemical contaminants, thus improving water quality for other marine life.***

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

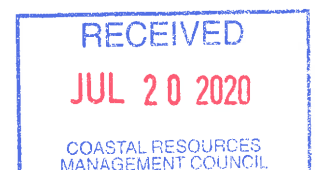
***N/A***

(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;

***This area within "The Cove" is inaccessible by foot and its shallow waters and close proximity to route 24 make it unappealing to boaters. The selected site has been studied throughout all seasons for the past couple years, occasionally kayakers can be seen in this area, but the described plans should have no impact on this activity. See attached photos showing lack of recreation.***

(11) demonstrate that measures have been taken to minimize any adverse scenic impact (see Section 1.3.5).

***The only thing that will be visible on the surface is buoys, cages and oysters will always be well below the low tide level so they should never become exposed. In order to minimize the amount of buoys needed, we will be using 10 trawl lines. When not in use there will be no buoys on the lines, when in use there will be a dark colored buoy on each end of the trawl. We will always attempt to use as few buoys as possible, during busy times of the year there may be up to 20 in use, however for the majority of the year there will be as few as 5.***



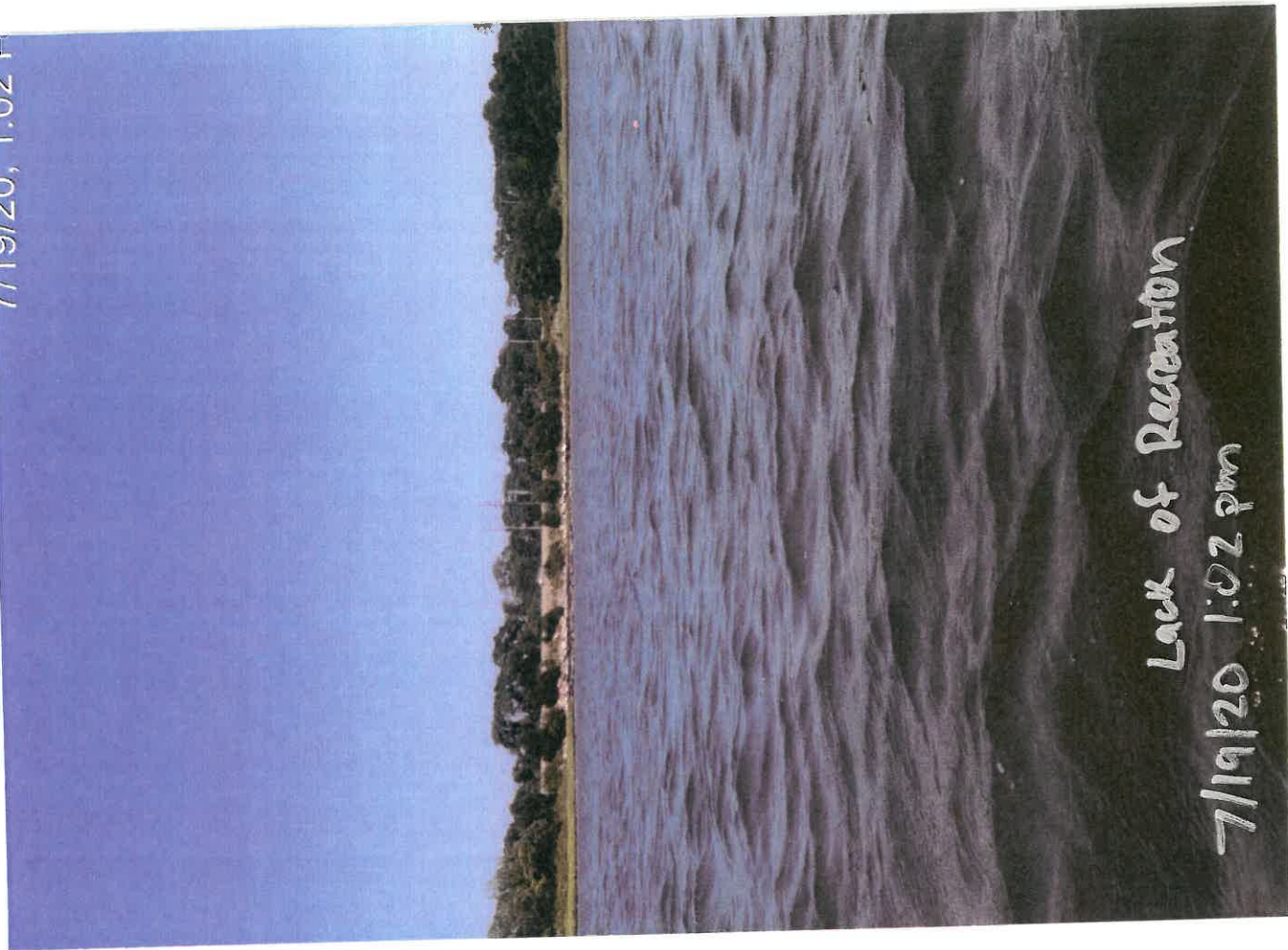


RECEIVED

JUL 20 2020

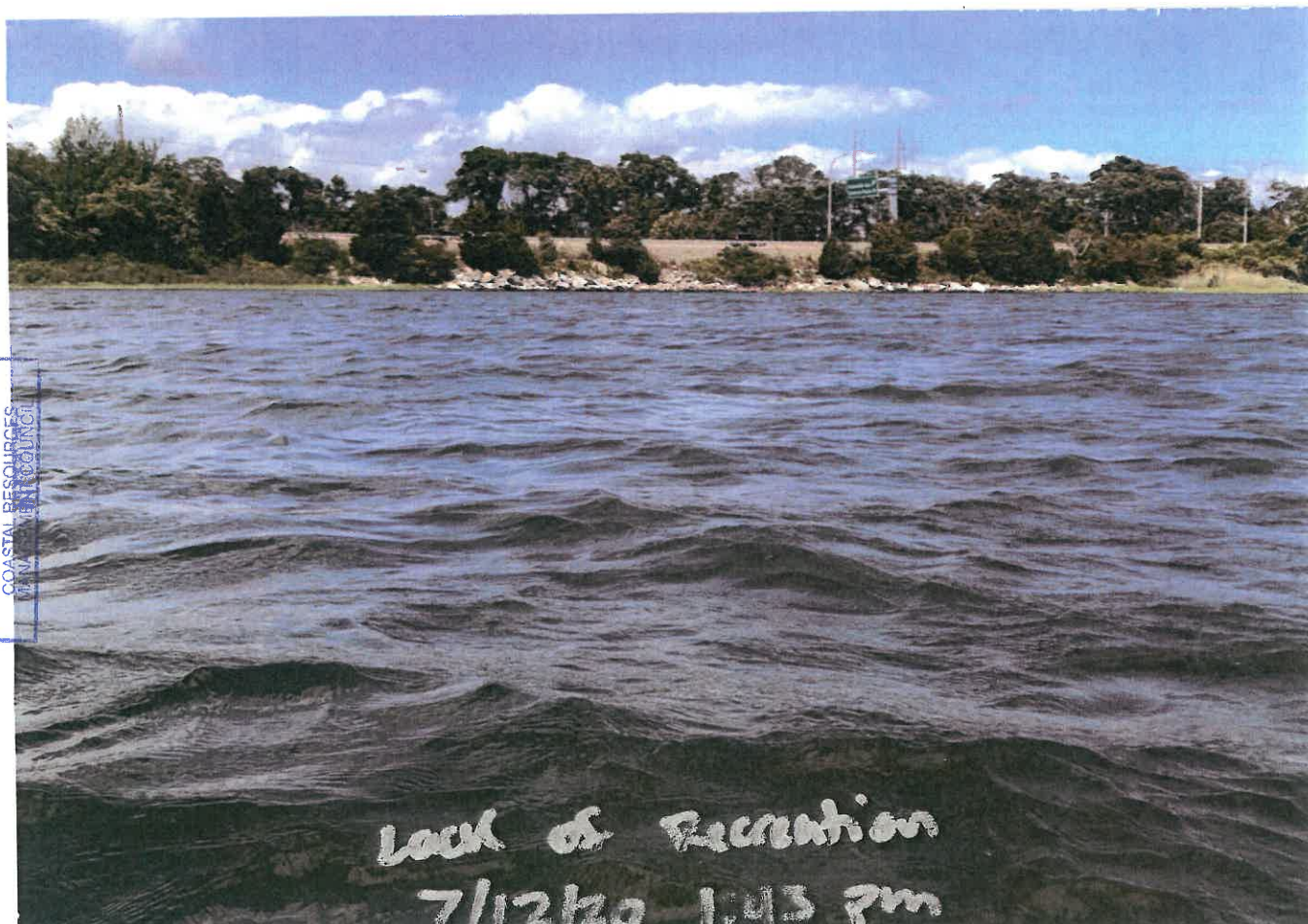
COASTAL RESOURCES  
COUNCIL

7/19/20, 1:02 PM



Lack of Recreation

7/19/20 1:02 pm



Lack of Recreation

7/12/20 1:43 pm