



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: 2023-08-012 Date: August 4, 2023

This office has under consideration the application of:

Wickford Oyster Company
1026 Ten Rod Road
North Kingstown, RI 02852

for a State of Rhode Island Assent to construct and maintain: a 9.9 acre seasonal (November 1st to May 1st) Sugar Kelp (*Sacharina latissimi*) aquaculture farm using two suspended longlines.

Note: all gear will be removed annually by May 1st.

| | |
|----------------------------|---------------------------------------------|
| Project Location/Waterway: | West Passage, North of Dutch Island |
| Nearest City/Town: | Jamestown |
| Related files: | Preliminary Determination CRMC# 2023-02-078 |

Plans of the proposed work are attached and can be 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 September 3, 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

Coastal Resources Management Council

Wickford Oyster Co.

Harry Whilden III

And

Gage Whilden I

And

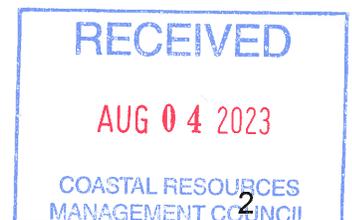
Haley Braner I

**Application for Assent
Proposal for a Lease Site for
use in Commercial Kelp
Operation**



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1. Complete Application Form and Fee.



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>West Middle Bay</u> No. _____ Street _____ City/Town _____ | File No. (CRMC USE ONLY) |
| Owner's Name <u>Wickford Oyster Co</u> | Plat: Lot(s): |
| Mailing Address <u>1026 Ten Rod Rd</u> City/Town <u>N Kingstown</u> State <u>RI</u> Zip Code <u>02852</u> | Contact No.: <u>401-374-5164</u> |
| Name of Waterway <u>West Middle Bay</u> <u>Narragansett Bay</u> | Estimated Project Cost (EPC): <u>10000 - 25000</u> Application Fee: <u>\$250</u> |
| Longitude/Latitude of all corners of Proposed Aquaculture Project Location (preferably in decimal degrees): NW (41° 30' 58.7" N 71° 23' 48.3" W) NE (41° 30' 58" N 71° 23' 45.3" W) SW (41° 30' 41.1" N 71° 23' 40.5" W) SE (41° 30' 42.2" N 71° 23' 37.6" W) | |

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

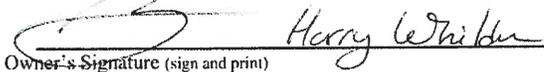
If YES, you must indicate NOV or C&D Number: _____

Name 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.)

Silkes File Number 2013-04-057 Goerner File number 2011-02-049
Waters + Carpenter LLC File Number: 2019-12-055

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


 Owner's Signature (sign and print)

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM



2. Proposal

Sea vegetable production represents an exciting opportunity for Rhode Island at the nexus of environmental and economic stewardship. Sugar Kelp, a native Rhode Island ocean plant, removes excess carbon from the water as it grows, aiding in water quality restoration efforts. Kelp has long been a crucial ingredient in everyday products such as foods, medicines, textiles, and personal care products. Recent advancements in green energy seek to use seaweed in bioremediation and even biofuel. In order to meet rising demand for this versatile crop, Wickford Oyster Company is proposing to expand its kelp production to a 9 acre site near the eastern shore of the west middle bay.

Since 2017 Wickford Oyster Co has had success farming Sugar Kelp on its leased site adjacent to Fox Island, where it also raises oysters in bottom culture gear. With thirty years of ocean experience, and a decade of aquaculture experience, Wickford Oyster Co. will create ideal conditions for seaweed growth. Sugar Kelp farming uses minimal gear, most of which is deployed under the ocean surface and not visible from the coast. The proposed site is over 1000 feet from the nearest shoreline and will not interfere with other commercial or recreational activities in the area. The natural life cycle of kelp plants produces one harvestable sporophyte (adult) population per year, to be harvested at the end of April well before summer activity in the bay ramps up.

Further development in seaweed production will secure the state's status as a leader in green jobs while demonstrating a commitment to the watermen who built this state's robust ocean economy.

PROPOSED SITE LOCATION 250 x 1700 AREA: 9.9 acres

- NWC 41°30'56.7"N 71°23'48.3"W
- NEC 41°30'58"N 71°23'45.3"W
- SEC 41°30'42.2"N 71°23'37.6"W
- SWC 41°30'41.1"N 71°23'40.5"W

The configuration describes a rectangle 250 feet by 1700 feet creating a footprint of 9.9 acres. Site is located approximately 1000 feet from the nearest shoreline. There are no landowners within 1000 feet of this site. High mean depth is 34 to 37 feet.

FARM DESCRIPTION



The proposed site was chosen to encourage optimal kelp growth and minimize the visual impact of aquaculture operations. At over 1000 feet from the nearest shoreline, the site covers 9 acres with an approximate depth of 34 to 37 feet. The topography can be seen in the NOAA site map (figure N). The site has been updated to reflect concern for historical mussel bed populations. DEM had no other flora or fauna concerns. The presence of seaweed cultivation will have a positive impact on the habitat conditions, providing shade shelter and nursery conditions for juvenile fish, invertebrates and sea birds.

GEAR DESCRIPTION

Farm equipment will be a system of two parallel 1700 foot long ½” grow out lines, spaced 250 feet apart from each other. Grow out lines will be suspended 6’ under the surface from buoys for optimal kelp growth (see figures E and G). Grow out lines will be supported by 7 polyball buoys and 14 lobster GoDeep buoys, spaced 250 feet apart. Grow out lines will be moored at each end by 500 lb mushroom moorings. Grow out lines will be suspended by polyballs and GoDeeps (Figures E and G), all labeled according to regulations. The polyballs will also be moored using 250 lb cement moorings for greater grow line stability and reduced risk of line entanglement. The corners of the site will be marked with 6’ reflective radar poles secured with 1000 lb fish trap anchors. This system has proven effective in our existing farm. Proposed gear will have little or no effect on sedimentation or contribute to an increase in turbidity.

OPERATIONAL PARAMETERS

Cultivation schedule for Saccharine Latissima typically runs from November 1 to May. The winter schedule minimizes interference with other bay user groups, who are more active in the summer. Barring inclement weather, the applicant will deploy its anchor systems, grow lines, moorings, and buoys to the site after November 1. Seed obtained from Point Judith Kelp Company will be strung along the grow lines. Harvest will occur in late April and finish May 1, at which time all equipment will be hauled from the site and stored properly onshore for the summer. Between November 1 and May 1, the applicants will visit the site every two weeks to perform routine checkups and maintenance. This routine activity can be conducted from a small vessel to minimize the visual impact of the operation. No power washing or processing activity will take place at the site. All operations will be conducted in compliance with state and local laws. All vessels will conform to the U.S. Coast Guard regulations for fishing vessels operating in state waters. Where applicable OSHA and NIOSH guidelines will be followed.



3. Photos of the Project Site and Adjacent Area

Figure A: Northerly View



Northerly View from the Center of the Proposed Lease



Figure B: Southerly View



Southerly View from the Center of the Proposed Lease

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Figure C: Easterly View



Easterly View from the Center of the Proposed Lease

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Figure D: Westerly View



Westerly View from the Center of the Proposed Lease

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Figure E: Polyball



Example of a single Polyball that will mark the location of each mooring attached to the mainlines.

Dimensions: Circumference = 66", Height = 27", Diameter = 21"

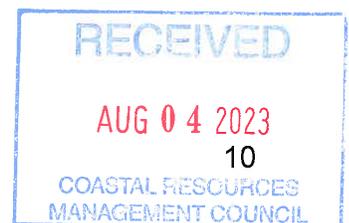


Figure F: Reflective Radar Pole



Example of the Reflective Radar Poles that, with the Polyballs, mark the location of the endpoint Fish Trap anchors.

Dimensions: Height = 6ft



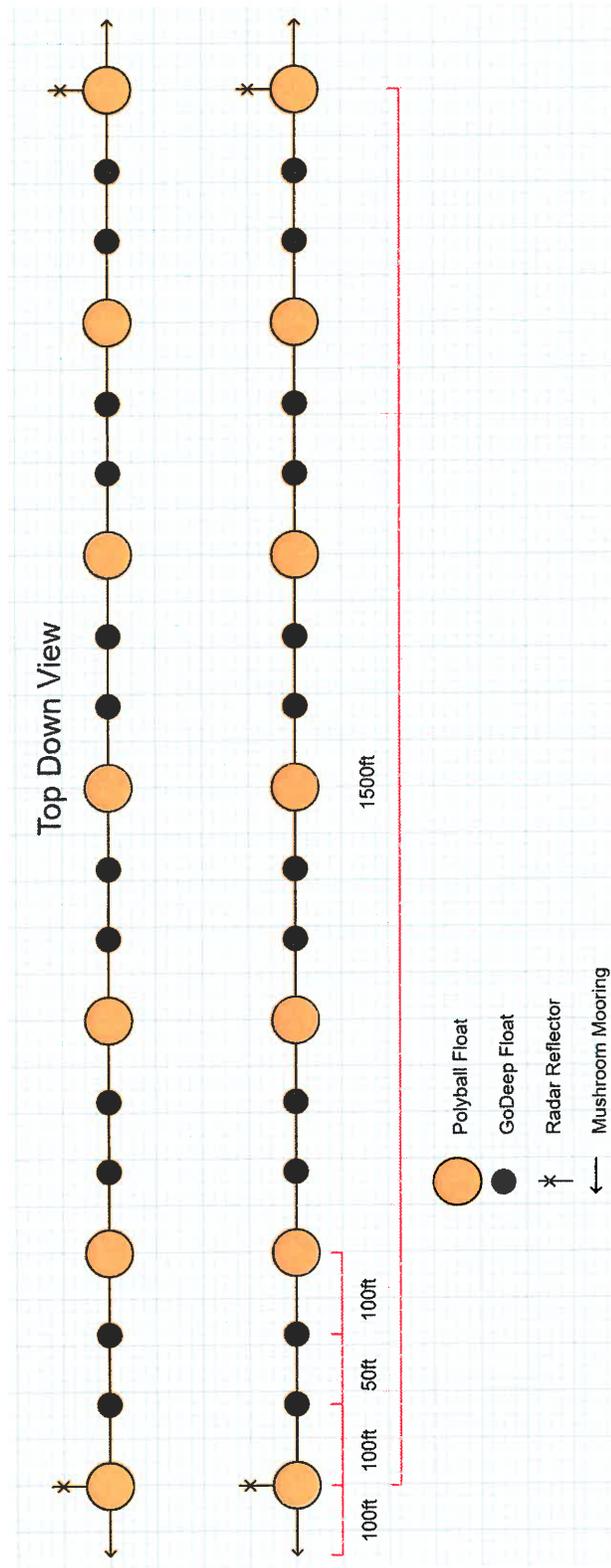
Figure G: GoDeep Buoy



Example of buoy placed in between polyballs to support the Kelp line
Dimensions: Height = 21.1", Width = 9.9"

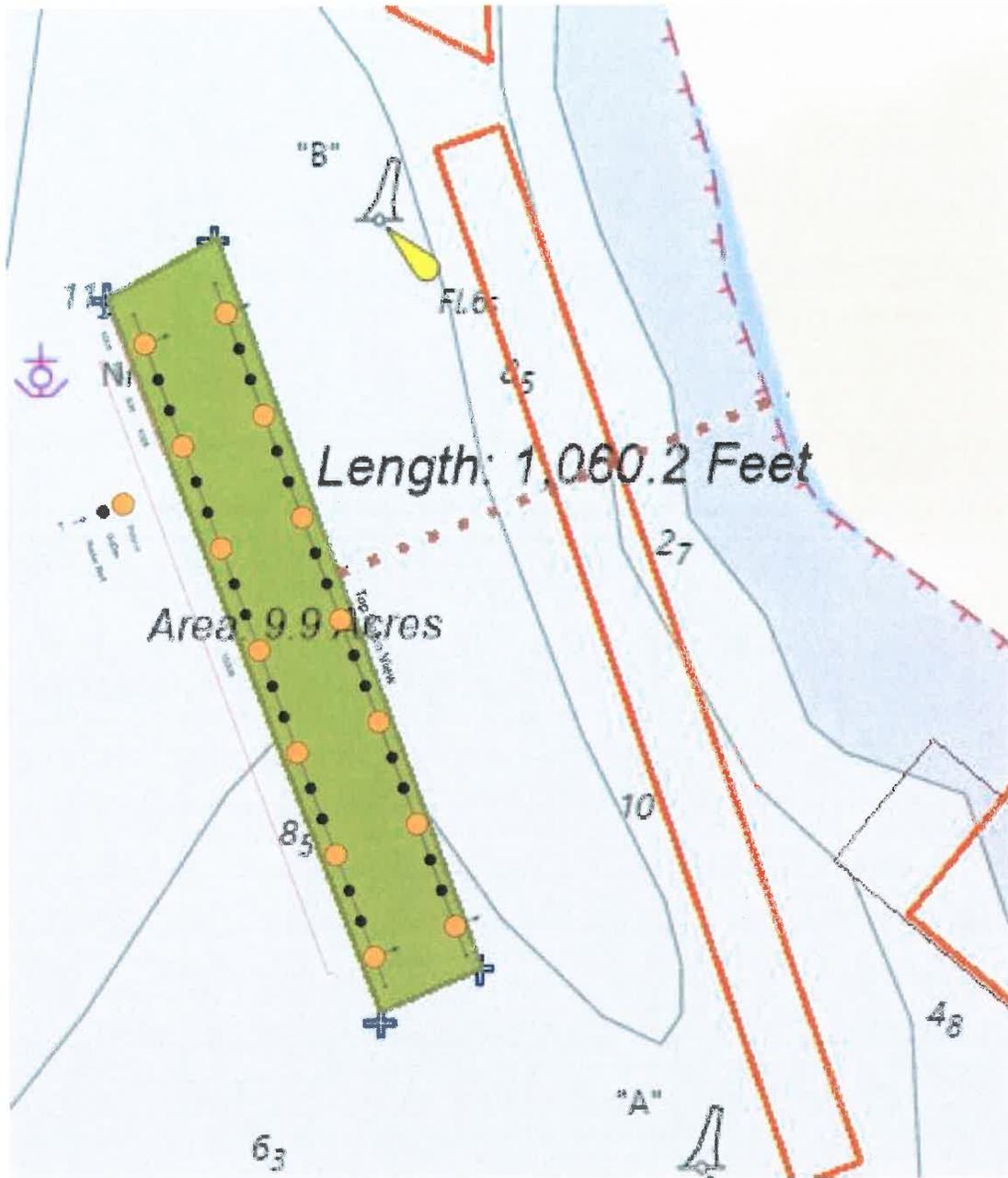
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Figure H: Proposed Gear Layout - Top Down



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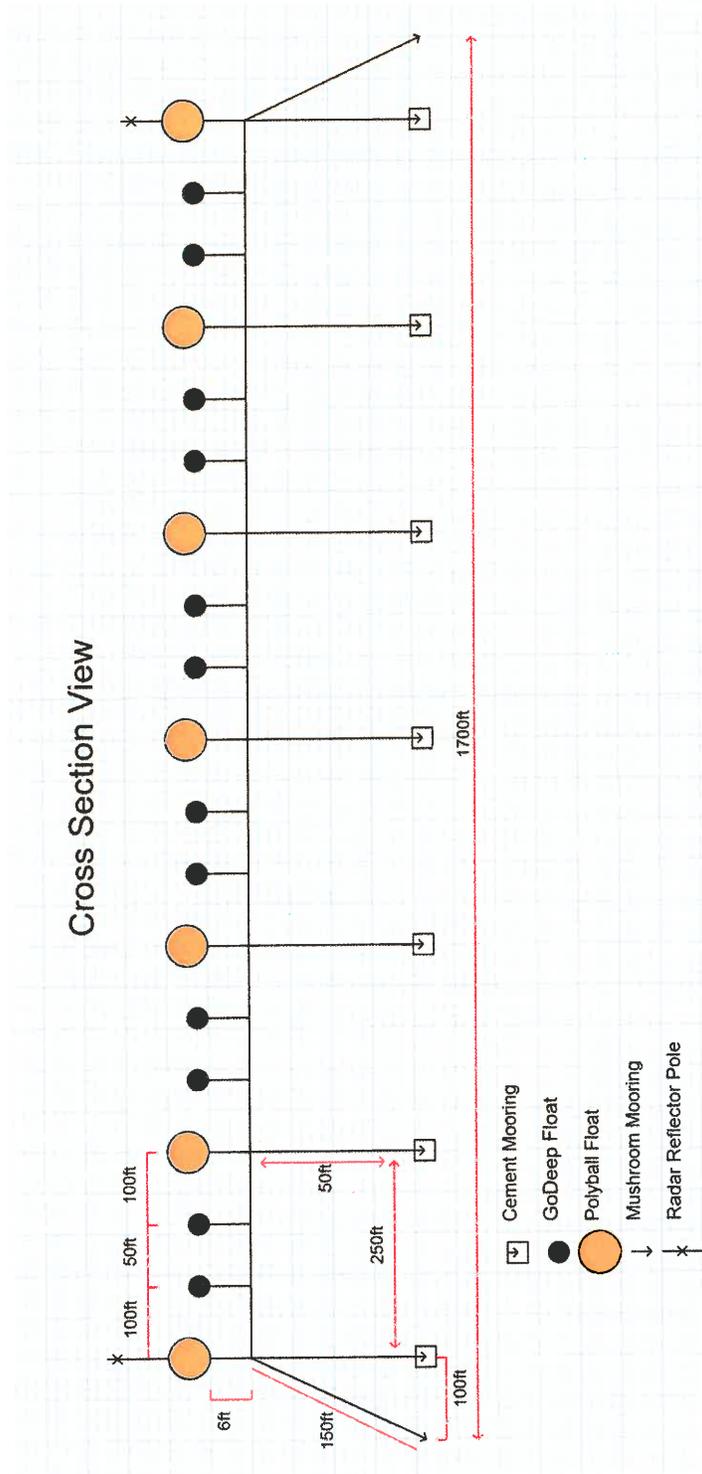
Figure I: Top Down View of Proposed Gear Layout Transposed onto NOAA map



Proposed Gear Layout Transposed onto NOAA area map

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Figure J: Proposed Gear Layout - Cross Section



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Figure K: Sugar Kelp Harvest



The applicant's harvest from a round of Sugar kelp farming in 2017 at the current Fox Island site.

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Figure L: Visual example of kelp line supported by buoys



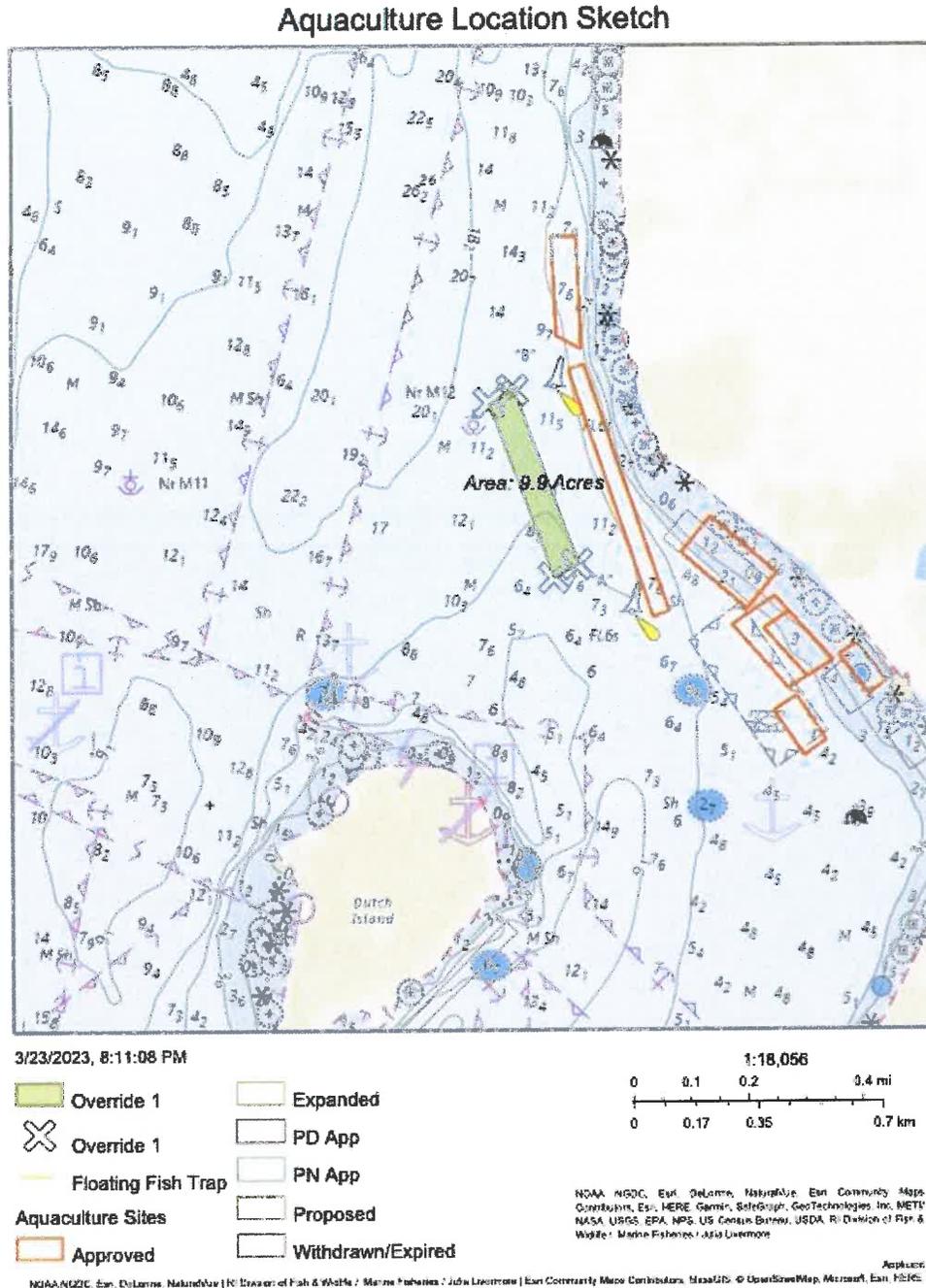
Figure M: Visual example of kelp harvesting process, typically occurring around late April.



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4. Location Map(s)

Figure M: Wide Location Map



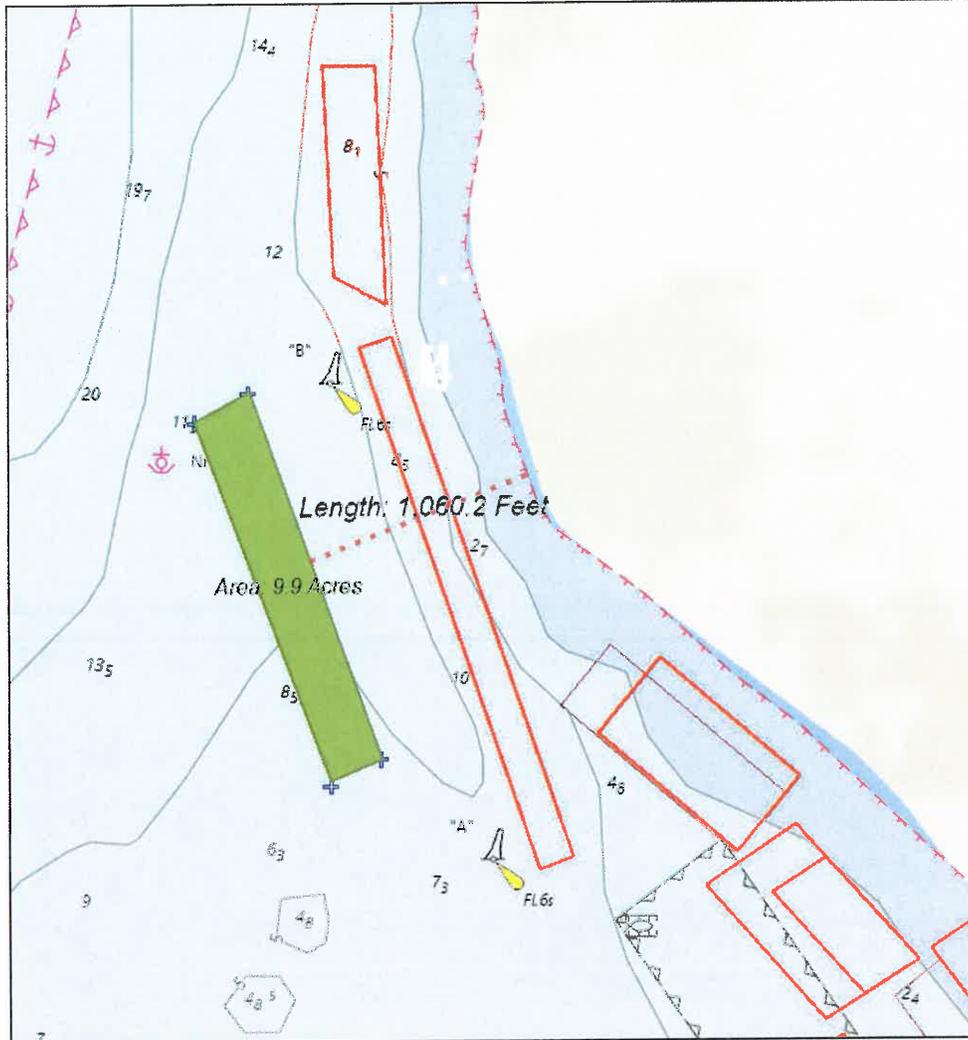
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Figure N: Zoomed Location Map

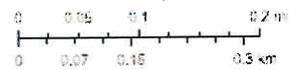
Aquaculture Location Sketch



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1:9,028

- *** Override 1
- █ Override 1
- + Override 1
- Floating Fish Trap
- Aquaculture Sites
- Approved
- Expanded
- PD App
- PN App
- Proposed
- Withdrawn/Expired



NOAA NODC, Esri, DeLorme, Navteq, B. Division of Fish & Wildlife, Marine Fisheries, Just Location, Esri Community Maps Contributors, University of Rhode Island, MassGIS, C. OpenStreetMap, Microsoft, Esri, HERE, Garmin, SwireGraph, GeoTechnologies, Inc. METI/NSA, USGS

Applicant:

NOAA NODC, Esri, DeLorme, Navteq, B. Division of Fish & Wildlife, Marine Fisheries, Just Location, Esri Community Maps Contributors, University of Rhode Island, MassGIS, C. OpenStreetMap, Microsoft, Esri, HERE, Garmin, SwireGraph, GeoTechnologies, Inc. METI/NSA, USGS

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5. Operational Plan

1. Name and mailing address of individual, firm, partnership, association, academic institution, municipality, or corporation who is principally responsible for the aquaculture operation or activity; if corporation, specify and include names of all owners/partners:

**Wickford Oyster Company
Harry F. Whilden III
1026 Ten Rod Rd.
North Kingstown, RI 02852**

2. CRMC file number for the facility; new applications will be assigned a file number by CRMC:

D2023-02-078

3. DEM Aquaculture License number (applicable if products are offered for sale); new applicants will need to obtain the DEM aquaculture license:

Harry F. Whilden III Aquaculture License number: AQUA 000138R POT

4. Type of facility (e.g., commercial lease site, upweller, experimental site, restoration site) and nature of operation (i.e., methodology used).

The type of facility for which the proposed lease site will be used is a commercial Sugar Kelp farming operation. Two separate 1700 foot grow lines, anchored by fishtrap anchors at either end, will be deployed 250 ft. apart from one another. Each grow line will support kelp seed will be planted and grow throughout the season.

5. Location of facility (include aerial or chart depicting exact location):

Town: **Adjacent to Jamestown, RI**

Water body: **West Passage Narragansett Bay – See Figures M and N**

Lat/long coordinates of facility:

- i. **NWC 41°30'56.7"N 71°23'48.3"W**
- ii. **NEC 41°30'58"N 71°23'45.3"W**
- iii. **SEC 41°30'42.2"N 71°23'37.6"W**
- iv. **SWC 41°30'41.1"N 71°23'40.5"W**



6. Identification of all species of shellfish grown at the facility. Acknowledgement that the applicant will follow Biosecurity Board seed protocols should be included.

No species of shellfish will be grown at this facility. The sole species the applicant intends to grow at the proposed lease site is *Saccharina latissima*, Sugar Kelp. The applicant will follow all Biosecurity Board seed protocols.

7. Description of types of structures, gear and methods used at the facility (e.g., rafts, pens, cages, tanks, upwellers, docks) and their locations on the site. (Include a sketch/site plan that details a cross-section of structures as they appear in water column including proximity to surface and bottom.):

The primary structures that will be used to grow Sugar kelp at the proposed lease site are two grow lines which will be anchored at each end by 1000lb fish trap anchors, for a total of 4 fish trap anchors in the water. The grow lines will be suspended from polyballs and GoDeep buoys. The polyballs will be moored to the bottom using 250 lb mushroom moorings. We anticipate setting seven polyballs per 1700 foot line, for a total of fourteen polyballs and mushroom moorings at the site. Site corners will be marked on the surface by 6ft tall radar reflectors. (See figure F).

8. Description of the methods and equipment used to identify and mark site.

The site corners will be marked by 6-foot tall radar reflector poles which will be branded with the assigned lease number for visual identification. The grow lines will be suspended from and marked by polyballs and GoDeep buoys (See Figures E, F, and G). All buoys and markings will be labeled according to regulation.

9. DEM Shellfish Harvesting Classification at site.

The proposed lease site is in Growing Area 7 - West Passage as classified on the DEM RI Shellfish Harvest Restrictions map.

10. Description of practices and procedures used during the growth, harvest, storage, transportation, and sale of the cultured species.

The applicant will plant Sugar kelp seed in ideal weather conditions after Nov. 1st. Once the two anchor systems are set, the applicant will deploy the seed onto the mainlines, which will be 1 fathom (6 feet) under the surface, for optimal kelp growth. The seed will be strung along a line denoted the "seed line," which will subsequently wrap around the mainline of each system. Once all the kelp seed is deployed, the applicant will ensure the healthy growth of the crop by checking the site once every two weeks throughout the season, barring severe weather conditions. The crew will perform these routine checkups and maintenance up until the last two weeks of April,



at which time they will harvest all the Sugar kelp. At the time of the harvest, they will untie the mainline of the first anchor system from the selected anchor point (either the North or South anchor, depending on weather and tide), then pull the mainline into the boat. They will trim all the Sugar kelp off of the mainline into totes, where the product will be cleaned and prepared for shipment. Upon returning to the dock, the crew will transfer the kelp to shipping containers and send the product off with the buyer. They will then repeat the same process with the second anchor system, harvesting all of the kelp grown throughout the season. All of the product will be shipped to the sole buyer, Point Judith Kelp Company.

11. Procedures for maintaining records: for operations using seed acquired from out-of-state: description of notification, disease certification, and labeling/tagging procedures:

We will follow all health regulatory procedures for processing Sugar kelp.

12. Procedures for maintaining records: for upwellers/seed-growing facilities in prohibited waters: description of procedures, including frequency of grading (with particular reference to requirements that seed must be removed before it exceeds maximum “seed” size threshold, i.e., <32 mm for oysters, <25 mm for quahogs):

Not applicable for this operation.

13. Procedures for maintaining records: for operations using seed from prohibited waters, or operations using shellfish obtained from a third party that originated as seed from prohibited waters:

Not applicable for this operation.

Detailed description of demarcation methods and record-keeping practices used at the lease site to ensure that animals have been cultured at least twelve (12) 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.

Not applicable for this operation.

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.

Not applicable for this operation.



6. Category B Questions

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 applicant's need for applying for the proposed lease site is to obtain a commercially viable space in which they can farm *Saccharina latissima*, Sugar kelp, at a higher capacity. Though the applicant has produced a successful harvest of kelp at the Fox Island site for multiple seasons, they seek a larger space solely for kelp operations at a site that is optimal for kelp growth.

- (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 non-tidal 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;

Not applicable for this operation.

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

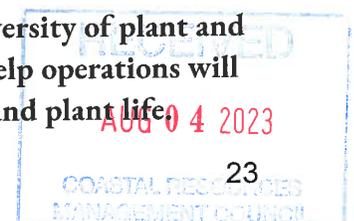
The applicant does not anticipate that any coastal waters nor land areas will be affected by operations at the proposed lease site, as the closest gear to adjacent land will always be at least 1000 feet from shore.

- (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;

All kelp farming operations at the proposed lease site will take place over 1000 feet from shore, thus, erosion and deposition along the shore should not occur.

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

The farming of Sugar kelp should not pose any negative impact on the diversity of plant and animal life in the water body. Rather, the applicant anticipates that the kelp operations will benefit surrounding habitats and should increase the diversity of animal and plant 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;

Given that the proposed lease site is over 1000 feet from shore, there should be no interference with public access and use of the adjacent shoreline. Additionally, the applicant does not anticipate any negative impact to existing public access to the water area; they are aware of commercial fishing and lobstering that occurs in the area, and will take the necessary precautions to avoid interference. Additionally, the seasonal nature of Kelp aquaculture should prevent major impairments to summer time public access to the waters, as the season only lasts from November to April.

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

Kelp aquaculture operations at the proposed lease site should not pose any impact to water circulation, flushing, turbidity nor sedimentation in the surrounding waters.

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

Kelp aquaculture is not known to diminish water quality, thus, the applicant does not anticipate any deterioration of the water quality in the immediate vicinity. The applicant is hopeful that the Kelp operations will have a positive impact on surrounding water quality.

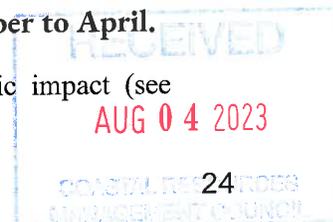
(9) demonstrate that the alteration or activity will not result in significant impacts to areas of historic and archaeological significance;

The applicant does not know of any objects of historical impact in the area neighboring the proposed lease site, however, the kelp operations should pose no threats to the purity of the surrounding waters nor the adjacent land. However, the applicant shall defer to the Rhode Island Historic Preservation to ensure that there are no negative impacts towards any area of historic/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;

The seasonal nature of this Sugar kelp operation will minimize any conflict or interference with recreational water uses, considering the season only lasts from November to April.

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



The proposed kelp operation will employ a minimum number of surface floats, all of which are unrecognizable from the shoreline. These floats are the only part of the operation that are visible above the surface. Thus, the proposed lease site will effectively prevent any adverse scenic impact of the surrounding areas.

7. Additional Category B Requirements:

1. Describe the location and size of the area proposed.

The site proposed is 9.9 acres of water west of Jamestown.

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

***Saccharina latissima*, commonly known as sugar kelp, is a species native to North America and is the sole species to be grown at the site.**

3. 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 applicant proposes to grow kelp for commercial use to meet growing sea weed demand nationwide. The cultivation cycle runs between November 1 and May 1. Barring inclement weather, the applicant will deploy gear consisting of two ½ inch rope grow lines approx. 1700 feet in length, which will be suspended 6' under the water for optimal kelp growth. The lines will be moored at each end by 1000 lb fish trap anchors, and supported by polyball buoys and GoDeep buoys. The polyball buoys will be secured to the bottom by 250 lb mushroom moorings. The seed, purchased from approved grower Point Judith Kelp Farm, will be wrapped around each grow line, and left to grow. Maintenance includes biweekly check ups of the lines to ensure no tangling. Routine checkups can be conducted from a small boat to minimize visual impact to coastal residents. Harvest occurs in late April, and typically completes May 1. After harvest, all gear including moorings, grow lines, and buoys will be removed and stored onshore during the summer months.



5. any shoreline(s) within 1000' which have been preserved for conservation, recreation and/or public access through easements, purchased by the state or municipality, or are owned by a land trust or state-recognized conservation organization.)

Not applicable for this operation.

b. The degree of exclusivity required for aquacultural activities on the proposed site. (In support of this requirement and in accordance with 1.3.1(K)(b), the applicant must include a plan demonstrating reasonable public ingress and egress to and from the proposed site for traditional water activities such as boating, swimming, and fishing. The ingress/egress plan may be notated on a copy of the site plan or other map.)

Not applicable for this operation.

c. The safety and security of equipment, including appropriate marking of the equipment and/or lease area.

All equipment will be marked according to local and state regulations. Site corners are marked with Reflective radar poles.

d. The projected per unit area yield of harvestable product.

1,666 lb/acre – (3000 feet of working grow line, 5 lbs per foot = 15,000 feet of kelp.

15,000/9 acres = 1,666 lbs/acre)

e. The cumulative impact of a particular aquaculture proposal in an area, in addition to other aquaculture operations already in place. (At minimum, applicants should consider the impact of any other aquaculture operation within 1000' of the proposed site.)

We foresee minimal impact to neighboring aquaculture operations to the proposed site. Oyster processing and Kelp maintenance occur in opposite seasons, with oyster processing pausing when water temperatures reach below 50 degrees. Given the neighboring aquaculture producers farm oysters, we foresee minimal interference. Positive impacts of this proposal include improved water quality and economic development of Rhode Island's sea vegetable sector.

f. The capability of the applicant to carry out the proposed activities.

The applicant has had several successful seasons growing and harvesting sugar kelp on the site adjacent to Fox Island. The applicant is a lifelong waterman with thirty years experience successfully making a living on the water, and a decade of aquaculture experience.



g. The impact of the proposed activities on the scenic qualities of the area.

There should be minimal impact on the scenic qualities of the area. The proposed site is over 1000 feet from shore, and the only above-surface gear consists of small buoys. (See figures E and G).

8. Review of Sections 1.1.10 and 1.3.1(K) of the RICRMP

Already in ownership of an active RI Aquaculture license, the applicant is already familiar with Sections 1.1.10 and 1.3.1(K) of the RICRMP. The applicant has rereviewed these sections for the completion of this application.

9. Information regarding provisions for pedestrian access to the shore and availability of lease area for other uses, including but not limited to, boating, swimming, fishing, etc.

The proposed lease area shall not limit pedestrian access to the adjacent shore. The only portion of the kelp operation visible above the surface are the floats, which should not inhibit any recreational use of the surrounding waters such as boating, swimming, fishing, etc.

