



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

January 23, 2018
Dave Beutel Aquaculture Coordinator
Coastal Resources Management Council
Wakefield, RI 02879-1900

Dear Mr. Beutel,

I am writing in reference to the Public Notice request by Perry Raso for a three-acre scallop and oyster farm using floating and suspended gear. (File number 2017-12-086). The proposed location for this site is in waters approved for shellfish harvesting located in Potter Pond shellfish classification area GA10 harvest area 6P in the town of South Kingstown .

The classification of shellfish grounds is an ongoing process based on the principles of the National Shellfish Sanitation Program. The Department of Environmental Management assumes no liability by the leaseholder for changes in classifications that may restrict or prohibit access and/or harvesting from said lease area. While this site currently has an approved classification for the harvesting of shellfish, extraordinary circumstances (i.e., large amounts of rainfall, hurricanes or oil spills) could temporarily halt such harvesting and prohibit work on said lease. If approved please include the following language that CRMC and DEM previously agreed to as a stipulation:

Aquaculturists in areas where emergency shellfish closures have been enacted will be allowed access to their leases for the purposes of preparing for and planting seed and when extreme weather could result in loss or damage of gear to conduct necessary maintenance/retrieval of their equipment. All other activities on the aquaculture lease, including but not limited to the harvest of shellfish, will remain prohibited until the water quality is acceptable to allow for harvest. Aquaculturists seeking permission to access their lease during an emergency closure must seek authorization by contacting Dave Beutel, CRMC's aquaculture coordinator at 783-7587.

The applicant should be aware that at the 2017 ISSC conference, changes were adopted to the model ordinance relating to floating aquaculture gear. The proposed changes are under review by FDA for final approval and inclusion in the next model ordinance update. The changes adopted at the ISSC conference include a requirement that aquaculture gear that attracts birds or mammals to the extent that their waste presents a human health risk shall have a written operation plan. While not yet a requirement, please advise Mr. Raso of this pending requirement and encourage him to consider methods to deter waterfowl attraction.

In the effort to address increasing water temperatures and the potential threat of a Vibrio illness outbreaks we are asking all lease holders to monitor water temperature at their lease site and keep records of actual temperatures of bottom, surface and at the depth waters where the shellfish are being grown during the Summer months (June-September). If this project is approved, please include this request in your aquaculture approval document.

Neither a RIPDES permit nor a Water Quality Certificate is required for the proposed facility. Please call me at 222-4700, Ext. 7241 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Lucinda M. Hannus". The signature is written in a cursive, flowing style.

Lucinda M. Hannus, Principal Environmental Scientist
RI DEM
Office of Water Resources – Shellfish Program

cc Angelo Liberti
Conor McManus
Dennis Erkan
Julia Livermore
Catherine White- RIDOH