

41°N



CAGE FIGHT

OYSTER GROWERS WORK
THROUGH THE PATH
OF LEASE RESISTANCE

41°N

EDITORIAL STAFF

Monica Allard Cox, Editor
Judith Swift
Alan Desbonnet
Meredith Haas
Amber Neville

ART DIRECTOR

Ernesto Aparicio

PROOFREADER

Lesley Squillante

PUBLICATIONS MANAGER

Tracy Kennedy

COVER

Portrait of Sophie Harrington, 17; Jennifer Scappatura; Norah Harrington, 17; and Isabel Harrington, 18; by Jesse Burke

ABOUT 41°N

41°N is published twice per year by the Rhode Island Sea Grant College Program and the Coastal Institute at the University of Rhode Island (URI). The name refers to the latitude at which Rhode Island lies.

Rhode Island Sea Grant is a part of the National Oceanic and Atmospheric Administration and was established to promote the conservation and sustainable development of marine resources for the public benefit through research, outreach, and education

The URI Coastal Institute works in partnerships to provide a neutral setting where knowledge is advanced, issues discussed, information synthesized, and solutions developed for the sustainable use and management of coastal ecosystems. The Coastal Institute works across and beyond traditional structures to encourage new approaches to problem solving.

Change of address, subscription information, or editorial correspondence: 41°N, Rhode Island Sea Grant, University of Rhode Island, Narragansett Bay Campus, Narragansett, RI 02882-1197. Telephone: (401) 874-6805. Email: allard@uri.edu

Reprinting material from 41°N is encouraged, but we request that you notify us of your intentions, give credit to 41°N and the article's author(s), and send us a copy of your final publication.

THE UNIVERSITY OF RHODE ISLAND



COPING WITH CRISIS

DEAR READERS,

We hope this issue of 41°N finds you well—and still interested in Rhode Island’s ocean and coastal news! It was written before the COVID-19 crisis was fully understood, and as we approached going to press, we wondered how Jennifer Scappatura, the face of our cover story, was faring.

Ellen Liberman followed up with Scappatura in mid-April, and found her, thankfully, still in operation:

“Quonnie Oyster is in a good position because we are small and don’t have all the overhead,” Scappatura said. “Our website will sell our own silkscreen t-shirts/hoodies and other oyster home products, such as platters and shucking knives. In addition, we will be teaching—people need to become familiar with ways to cook oysters and shuck them too. Quonnie Oyster is also adjusting to the pandemic by starting home deliveries grouped with other local land farmers. We are working on a ‘meal-in-a-box’ concept with recipes and a link on our website. We are seeking approvals from the state Department of Health so that we can supply oysters to nonprofits that need food, like homeless shelters. This crisis has bonded the farmers and although stressful at times, it has brought us all closer to help each other keep our industry going. Ironically, it’s a great time for local food.”

I want to thank all our writers, photographers, editorial team, and art director for all they do to capture and tell Rhode Island’s ocean and coastal stories. Their efforts are always appreciated, but even more so in this uncertain and difficult time. And I want you, our readers, to know that we are committed to working over the summer to bring you another edition of 41°N in the fall. See you then!

—MONICA ALLARD COX
Editor

SUBSCRIPTIONS TO 41°N ARE FREE

Sign up online at 41Nmagazine.org
or email allard@uri.edu



Contents

- 2 CLIMATE MIGRANTS ALTERING MARINE COMMUNITIES
by TODD MCLEISH
- 10 A RIVER RUNS THROUGH IT
A changing climate, increasing development, and aging, antiquated dams are putting Rhode Island cities and towns in peril
by BOB GULLA
- 16 CAGE FIGHT
Oyster farmers face off against objectors to their expansion plans
by ELLEN LIBERMAN
- 26 ARCHITECTURE FOR THE BIRDS, THE BEES, AND THE RISING SEAS
by MONICA ALLARD COX



- 30 THE BIRTH OF OCEAN SCIENCE IN RHODE ISLAND
by STEPHEN S. HALE
- 36 GREEN CRAB CUISINE
A culinary solution to invasive species
by TODD MCLEISH
- 40 CALL ME CLIMATE REFUGEE
by RICHARD J. KING



OYSTER FARMERS FACE OFF AGAINST OBJECTORS TO THEIR EXPANSION PLANS

by **Ellen Liberman** Photographs by **Jesse Burke**

THERE IS PEACE ON THE POND. THE WINTER SUN spreads its milky light on the water and its warmth on the faces of Jennifer Scappatura and her daughters as they winch an oyster cage up onto the lip of the boat. Scappatura has been farming the bottom of this 1-acre patch of Quonochontaug (also known locally as Quonnie) since 2014, about half a mile from the sandy shore in a small cove east of the Charlestown Breachway.

Scappatura, twins Sophie and Norah, then 16, and Isabel, then 17, stand the cage on its short end, and Quonnie's abundance wriggles onto the weathered wooden platform. The quartet sweeps tiny mud crabs and juvenile tautog back into the protection of the water, and the oysters clatter onto the deck. January is a slow month in the aquaculture calendar—orders drop off after the holidays, and the oysters are dormant, trying to survive the coldest months until warmer waters in March commence oyster filtering and growth.

Valentine's Day often gooses demand, and Scappatura wants to be ready if and when her wholesaler calls. She scrutinizes each oyster and sorts them by size—smaller oysters grow better and more quickly when they aren't caged with larger peers that capture all the phytoplankton. Crouched in her cold-weather coveralls with a smear of green bottom mud drying on her cheek, she quickly creates two piles. Categorizing livestock is rhythmic—almost therapeutic—and diametrically opposed to her former career in New York City as a stylist for high-end lifestyle brands like Martha Stewart, Scalandre, and Ethan Allen. But

Scappatura brings the same intense focus to oyster farming as she did to selecting the perfect red fabric for a photo shoot.

"In a past life, I wrote stories about how to decorate and designed products that weren't very good for the environment," she says. "In this part of my life I want to give back, and that's the whole concept of my company."

In 1998, Scappatura and her husband bought a little cottage on Green Hill Pond as a weekend getaway place, and she began planning a move out of her Manhattan life. She was intrigued by the oyster reef in the waters near her house. Wild oysters were plentiful, but inedible—the pond was too polluted. Scappatura made herself a life goal to restore Green Hill Pond to health, but she was still seeking design work. She was about to apply to Alex and Ani, when she ran into a friend of aquaculturist and restaurateur Perry Raso. That conversation sparked a career shift.

"It's not easy getting into this industry as a woman and an outsider, but this is the best job I've ever had," she says. "I'm so into promoting Rhode Island oysters—we honestly grow some of the best on the East Coast because the landscape creates many different flavors. It's a golden area."

Quonochontaug Pond, a 1-square-mile salt pond on the northside of a barrier beach, is highly saline, with healthy eelgrass beds that make it an excellent nursery for shellfish and juvenile finfish. Its striking natural views, proximity to lengths of sandy beaches,



CAGE

FIGHT

and boating access to Block Island Sound also attract upscale residential development.

Scappatura's lease sits in the sight lines of \$2-million-plus homes, and their owners, among others, registered objections with the Coastal Resources Management Council (CRMC) to her first application, claiming it would interfere with navigation and other recreational activities—even though she grows her livestock on the cove bottom and the area is strewn with rocks large enough to bust a hole in a hull.

"The two neighbors personally threatened to hold up the lease for years," she recalls. "A prominent marina owner told me that my lease wasn't going to work out because I wouldn't be able to access it. The bullying is endless. Sometimes it's like cowboys and Indians out here."

These conflicts on the pond were not entirely anticipated. In 1999, the CRMC's annual aquaculture report tallied 15 leases, of which, eight were running. The council then forecasted that this sector was poised for steady growth, and that "people will soon realize that aquaculture is a 'green' industry that can contribute significantly to a diverse economic base and coexist with traditional marine-based industries."

That prediction was half right. By 2019, the number of farms had increased by more than 900%, to 81 farms cultivating 339 acres. But the world has not opened its arms to aquaculture. Rhode Island waters are golden for oysters—and also for sailing, fishing, waterskiing, wild harvesting, and other uses. Increasingly, aquaculture lease applications meet with vehement, organized, and well-financed opposition.

David Beutel, the CRMC's aquaculture coordinator, says that every lease application now raises objections.

"The opposition has gotten more astute in objecting to aquaculture—in that they've read the CRMC regulations and cite what they see as the more legitimate avenues they have to oppose. People fear change,

and the people who live along the waterfront have a lot of money and are accustomed to getting their own way," he says. "Because of user conflicts, every new aquaculture site we approve makes the next one harder."

Bureaucratic battles seem far away on a warm January afternoon, when the pond is at rest, and birds are your only company. In two weeks, Scappatura's application for a 4.4-acre expansion will go before the full CRMC. The same objectors—or their lawyers—will surely be there.

"The funny thing about these conflicts—it's just those eight summer weeks," she says. "Most of the time those users aren't even here."

Aquaculture's shifting fortunes

The Colony of Rhode Island and Providence Plantations granted its first oyster lease in 1798; by the 1850s the General Assembly began encouraging shellfish aquaculture with laws that permitted private operations to take oysters from public beds for seed stock. More than 60 years later, commercial aquaculture hit its peak.

In 1911, oyster farms had 21,000 acres under cultivation, blanketing the bottom of Narragansett Bay and its coastal ponds, says Michael Rice, aquaculture professor in the University of Rhode Island Department of Fisheries, Animal & Veterinary Science. It was the state's third largest industry, concentrated into the hands of seven families who ran their operations like textile mills, with tenement housing and company stores. The waterfront bustled with processing plants and steam ships hauling some 1.4 million bushels to East Coast buyers.

At today's value, those sales would be worth \$500 million, Rice says. "We haven't reached that by any stretch of the imagination."

Nonetheless, aquaculture's economic footprint is significantly bigger than the CRMC and U.S. Department of Agriculture figures suggest, says Thomas Sproul, a URI associate professor of Environmental & Natural Resource Economics. His team set 2016's total impact, including spillover effects on other sectors, at \$26.3 million and 371 jobs.

"We are giving the oyster farms credit for the value added in their product—it's not just something that goes in cans, it's something that's sold directly to consumers and sometimes bundled up in an experience eating fresh shellfish in Rhode Island. That's worth more to the local economy than you would expect based on the official government estimates."

From 1910 to the 1950s, commercial aquaculture suffered a series of blows—raw sewage from flush toilets, soil erosion, and effluent from metals-plating factories fouled the bay. The Hurricane of 1938

Jennifer Scappatura tends her oysters on Quononchontaug Pond in sight of numerous objectors.



“EVERY NEW
AQUACULTURE SITE
WE APPROVE
MAKES
THE NEXT ONE
HARDER.”



Perry Raso faced objections to expanding his oyster lease by 3 acres, even from people who enjoyed his restaurant.

destroyed the shucking sheds, the Great Depression devastated prices, and World War II decimated the labor pool.

“By the 1950s, the political landscape had changed and the families that controlled the oyster industry were on the outs. The men returning from the war didn’t want to go back to those high-labor, low-wage jobs,” says Rice. And “in the 1970s and 1980s, there was huge resistance to aquaculture coming back.”

In 1978, the state granted the Blue Gold Mussel Farm a 60-acre lease in the East Passage next to the defunct naval base in Middletown, prompting protests from wild quahoggers, a moratorium on new leases, and an onerous application process.

In the late 1980s, Robert Rheault, now executive director of the East Coast Shellfish Growers Association, applied for a 3-acre lease to grow oysters in Point Judith Pond. The resistance was fierce—600 letters of objection—and the permitting process was a slog of 14 hearings over 2½ years. But Rheault’s experience became a catalyst for major changes in the regulatory process. Oyster farmers coalesced as the Ocean State Aquaculture Association (OSAA) to educate policymakers. In 1996, a new state law streamlined CRMC regulations.

In 2009, the CRMC adopted a 5% cap on the number of acres that could be leased for aquaculture on the coastal ponds, based on a study of the biological and ecological carrying capacity of a mussel farming area in Australia. The 5% cap was also thought of as a social carrying capacity—meaning that was the amount of aquaculture a community would accept. That cap would leave 95% of a pond’s acreage for other users. The decision followed discussion with multiple stakeholders, such as the commercial quahoggers.

“Five percent was seen as a reasonable number by everyone,” recalls Rice. “There were handshakes and happiness and people moved forward. The players are different now.”

Today, only Point Judith Pond has hit the 5% limit. Ninigret Pond is a close second—if all pending leases are approved, it would near capacity. The other ponds are nowhere near the limit. Quonochontaug, for example, has a little more than 1% of its acreage under lease. The yearly growth has slowed. In 2018, 23.2 more acres were leased, an 8% increase for the year.

From the aquaculture industry’s point of view, the struggle to get anywhere near capacity on the coastal ponds is a limitation on the industry’s ability to expand or to use good management practices. Graham Brawley, manager of the Ocean State Shellfish Cooperative, which, in 2019, marketed and distributed some 4 million oysters from 15 farms, says the fight for space on the ponds is likely to drive future farms into the bay, where the challenges are financial—higher initial

capital costs, such as larger vessels and more expensive gear—and environmental—more extreme tides and winds.

“The guys who are established are okay,” Brawley says. “Any new farmers have no room to grow or to move to use beneficial management practices. If you’re doing bottom culture in one area, it would be beneficial, after you finish this season, to let that area sit for a year or two. If you line all farmers in one area, you are limiting the amount of food.”

An elusive balance

David Latham grew up in landlocked Kansas, but his heart has always been firmly located on Potter Pond in South Kingstown. In 1970, his grandparents bought a half-acre of land on the pond’s southern end. The home they built there became the family’s summer gathering place, and it lives in Latham’s memory as the high point of each year.

“The first thing I would do is run down to the dock and start saltwater fishing,” he recalls. “We spent our lives on the water. It was super—crabbing in the morning, clamming, and flounder fishing. Everything was magical to me, right there out of the front door.”

Latham now lives in Brooklyn, New York, but he and one of his brothers still head up to Rhode Island in the summer, where they have their own places nearby. The last half-century has brought a lot of changes to Potter Pond—more houses, bigger houses, and aquaculture.



In 2002, Perry Raso successfully sought a 1-acre lease there and founded Matunuck Oyster Farm. In the next five years, he expanded it by another 6 acres, and his farm became the source for the signature dishes at his wildly popular restaurant, the Matunuck Oyster Bar. None of his applications had objectors.

“Every year it got a little bigger and gear got more obtrusive. Nobody knew who was approving it, and nobody was being notified,” Latham says. “I vowed if something like that happened again, I would do something.”

In 2017, Raso submitted a fourth application to farm scallops and oysters on a 3-acre spot on Segar Cove, at the pond’s southern end. Raso thought he had carefully selected an area that was deep enough for aquaculture and dead enough to overcome any objections from the regulators or the public.

“I’ve lived on the pond for quite some time, and I knew the location as one of the more lightly used areas of the pond,” Raso says.

Gene Corl, a 20-year resident whose house looks out upon the cove, takes another view.

“That’s about the only public access to the pond system,” he says. “It’s a popular spot for kayakers to enter and one of the few places on the pond that’s deep and big enough for waterskiing. They can get three people skiing in this cove at the same time. If he takes the 3 acres, there no way you can do any of that.”

Latham happened to find out about it two weeks before the comment period closed and immediately printed up some fliers alerting other homeowners and suggesting they comment if they had strong feelings; 120 people responded, and the overwhelming majority objected.

The Battle of Segar Cove was joined. The Shellfish Advisory Panel, which represents commercial and recreational shellfish harvesters, supported the proposal, 9-2. The South Kingstown Waterfront Advisory Commission was unanimously opposed. The Rhode Island

Marine Fisheries Council was evenly divided. Typically, the permitting process takes slightly more than a year from first application to final decision. Raso’s application has idled for two, as the CRMC wades through 147 letters of objection.

It isn’t supposed to happen this way. Aquaculture applications start with a pre-determination report to see if the site is suitable. The intent is to ferret out any potential issues and see if they can be addressed by modifying the location or the technique, Beutel says. He discourages applicants from proceeding if it’s clear that the application is likely to be contentious. Each full application is then open to public comment and goes through multiple reviews at the federal, state, and local level—including from the state Department of Environmental Management, the U.S. Coast Guard, the Army Corps of Engineers, the Rhode Island Historical Conservation and Preservation Commission, and other local advisory boards.

Waterfront landowners are not notified because the lease is sought on submerged state land. But non-governmental groups, like the Salt Ponds Coalition, also keep a close eye on new applications.

“We support aquaculture as long as it’s properly located and operated,” says coalition president Art Ganz. “Rhode Island is a small state with one of the largest populations on the water. Everyone wants to use our resources for their own purposes. We try to get in on the ground floor to work with the applicant to minimize the impact.”

After these reviews, Beutel writes his final report. Lease applications that raise no red flags are approved; all others go before the CRMC for a full hearing.

Mike McGiveney, president of the Rhode Island Shellfisherman’s Association and a member of the Shellfish Advisory Panel, says that the process has been helpful in managing the competition for space with the wild fisheries. He estimates that “Seventy to 80% that come through have no opposition. It’s a rarity that we oppose. I see much more contention among landowners.”

And landowners raise all manner of objections, claiming that aquaculture scares away wildlife such as turkeys, deer, rabbits, and humming birds and pollutes the ponds, and that floating gear is unsightly. Oyster farmers, who see themselves as environmental stewards, working the commons to provide food, call the cap “the 95% rule” to emphasize the amount of surface area of a pond available to other uses. They grow weary of some of the more disingenuous claims and tactics. Raso, for example, protests that some of his neighbors are using photos that distort the size and the look of his proposed farm on a website created to rally the opposition.



“I VOWED IF
SOMETHING LIKE
THAT HAPPENED
AGAIN,
I WOULD DO
SOMETHING.”

“The floating gear has become an issue because of the visual impact,” he says. “I understand their perspective. I was a wild harvester for years and aquaculture used to bother me. I understand that resistance to change, but growing shellfish is a benefit to the ecosystem, and it can work in unison with other user groups—if we all work together.”

Rheault, who, for decades, has tried to educate the public, puts it more bluntly.

“These people don’t want to see fishermen—we don’t wear enough Land’s End gear. We don’t have nice, shiny boats. We aren’t their kind of people. But they don’t own the water. The water is declared public lands of the state, held for the benefit of the [state]—not just the waterfront home owners—and its incumbent upon the state to protect that resource for the benefit of the [state].”

Ironically, Latham sees it the same way: “The state is removing public property from public use. And it will keep coming up anytime people want to take the water column away.”

Finding harmony

“Buttery. Briny. Better.” Walrus and Carpenter oysters are grown on a 6-acre lease in Charlestown’s Ninigret Pond, where farmer Jules Opton-Himmel makes sustainability a major element of his brand. He markets the farm itself, as much as his oysters, with tours and farm dinners. Foodies slurp oysters at an in-the-water raw bar, play with his dog Tautog, and then repair to a long table dressed with white linens for a gourmet meal prepared by top-line chefs. Currently, Opton-Himmel is developing a community supported agriculture program to market directly to fans of fresh oysters.

As skilled as Opton-Himmel had become with communicating his story directly to consumers, he discovered that he had failed with his neighbors. Opton-Himmel’s Ninigret Pond lease used bottom racks and was approved with a minimum of controversy, but he wanted to incorporate more efficient—and profitable—husbandry practices. The current best practice for aquaculture technology dictates floating cages. An oyster farmer’s math includes a raw calcula-



tion between the number of seed-stock oysters, and 18 months later, the number that reach market size and shape, with a nice cup to the shell. Growing methods below the water's surface are less efficient and more labor-intensive. Farms lose a significant percentage of the juveniles to predators, reduced oxygen, and less access to food. The difference on a farmer's balance sheet is literally hundreds of thousands of dollars. Given the community resistance to floating cages, CRMC guidelines encourage low-profile versions—but they are not required.

In 2015, Opton-Himmel won a two-acre lease in Jamestown's Dutch Harbor, west of Conanicut Island at an entrance to Narragansett Bay, where he intended to finish in floating cages the stock started in the rack-and-bag cages on the bottom of Ninigret. His wasn't the only farm operating in that patch of water, but it was the closest and most visible to the shoreline.

"It's important for future community relations to be a good member of the community. People are not fully aware of the fact entrepreneurs are encouraged to seize opportunity. That's rewarded in our society,"

he says. "But you're farming in the commons. It's a privilege, not a right. For me, personally, that did not sink in for a while."

Dutch Harbor homeowners Ted Sybertz and his wife, Sharon Purdie, loved the soul-stirring sight of sunsets over conservation lands, long swims, and kayaking—right from their lawn's edge. In the summer of 2016, the waters seemed to have suddenly sprouted hundreds of floating cages. West Wind homeowners began complaining—to the town and the CRMC.

"We had all these black barrels 100 feet off our shoreline, and it changed the most scenic view on Narragansett Bay into what amounted to an industrial aquaculture location," Sybertz says.

The homeowners' biggest gripes, says Purdie, were "we were not told about it until they were approved and Jules had twice as many cages as he was allowed."

Opton-Himmel reached out to the Center for Mediation & Collaboration Rhode Island, which runs a U.S. Department of Agriculture funded program that mediates disputes for farmers. This was the center's first case on submerged acreage, but the process is the same—a series of voluntary, confidential, facilitated discussions among the parties to air their grievances, listen to the other side, and brainstorm a creative consensus.

"Mediation sets the stage—let's go in with an open mind," says Rhonda Bergeron, the center's operations director. "People can come in very angry, but we're not asking them not to feel their emotions. It's an opportunity to clear up a lot of miscommunication, and it shifts the culture of the discussion from a malicious intent to a culture of goodwill."

Opton-Himmel and the residents met several times, and came up with a plan: Opton-Himmel would seek a new, larger lease that would move the farm away from the neighbors, and the neighbors would not object to his application.

"Mediation helped us to get to the sincerity of Jules to work with the homeowners; I absolutely didn't have that feeling before," says Purdie. "I thought of him as a person who just wanted to push and push the limits. We found we could make a lot of progress without the CRMC involved."

The discussion also led to a connection with Johnson and Wales University Associate Professor of Design Walter Zesk, who turned the visual blight of floating cages into an ongoing problem-solving exercise for his students.

"They've generated concepts that intrude less on the experience of being on the water," he says. Some of the more "feasible and plausible solutions involve camouflaging the cage with different coloring, or clip-on, semi-reflective material to make the cage look like a wave."

Increasingly, the industry is turning to education as a strategy to lower the temperature of lease battles. Dan Torre was granted his first 3-acre lease last December. The farm, on the Sakonnet River in Portsmouth, lies in view of the Glen Manor House, a special-occasion venue, and homes on Heidi Drive, whose owners strenuously fought the proposal. Torre created a website to explain his project and oyster farming.

"It was clear there wasn't a great understanding of oyster farming," says Torre. "People complained that it would affect parking and traffic, smell, and add to pollution. The goal was to gather a bunch of facts to teach them about aquaculture to be comforted about what was going on there."

It didn't completely neutralize the opposition, but Gretchen Markert, a Seaberry neighborhood resident, found it helpful. She wondered how Torre's farm would affect the seascape or the town beach, so she submitted a query asking for more information.

"Dan replied very quickly with a thoughtful email and a link to his website, which showed a high level of planning and provided interesting points about aquaculture having a beneficial impact on water," she says. "Given that it would not impact swimming or fishing and it's a locally sourced food, I think it's great."

Late last year, the OSAA hosted a workshop for coastal town officials to educate them about the permitting process and aquaculture. It was so successful, the organization plans to make it an annual event.

"Communication—it's always key," says OSAA president and oyster farmer Matt Behan. "[Town officials] really don't know the farmer. All they know is the waterfront homeowner who keeps complaining and threatening legal action."

Still, some are clamoring for a more global approach. Dick Pastore, the Rhode Island Saltwater Anglers Association's representative on the Shellfish Advisory Panel, says it's time for another moratorium until the CRMC writes a Special Area Management Plan for aquaculture.

"We've got oysters. They are a high-end product making some great strides, and it's an industry getting a foothold in Rhode Island. This is wonderful, okay? Let's not wait until this whirls into a range war, where everybody's suing everybody," he says. "Let's have a plan, so we can guide this industry to national prominence."

Moving on

In a windowless gray meeting room on Smith Hill, Scappatura waited patiently with her daughters, Isabel and Sophie, for her expansion application to come before the full CRMC.

Getting the farm going was hard, but the past five years have taught her a lot. She pestered Beutel with

dozens of questions, takes and retakes the required aquaculture course at Roger Williams University, and interned with Opton-Himmel. She lost her first crop entirely and was begging for shucking jobs to keep going. Her second crop produced a tiny harvest. But what she lost in quantity, she won in quality. In March 2019, she entered her Quonnie Sirens in Oyster Madness, a blind taste test pitting local farms against each other for the title of Best Oyster in Rhode Island. Scappatura considered her entries donations to the cause of promoting local oysters. She was stunned to win first place; a wholesaler bought her entire harvest.

"Slowly, slowly, I'm getting a tiny paycheck and getting accepted as a serious player," she says.

With 4 more acres, she could use the rack-and-bag system on her current lease as a nursery for juvenile oysters, and once they are predator-proof, plant and finish them on the cove's bottom.

Her application was last on the agenda, and the room's population had dwindled to a handful. Beutel gave the council a dry summary of the proposal and his recommendation for approval. He teed up each objection—interference with a mooring field, recreation, navigation, and the pond's ecology—and then batted each aside with an "it's-challenging-for-me-to-believe-that-bottom-culture-could-impact-any-of-those" counter-argument.

But there was enough tinder to spark anger. A neighbor accused Scappatura of bad citizenship for making her lines and buoys invisible to boaters by painting them blue; Scappatura tried to respond, prompting CRMC Chair Jennifer Cervenka to admonish both to only address the council and to give each speaker the floor.

Scappatura pleaded her case.

"We have produced an incredible product that has a high demand," she says. "I painted them blue to reduce the visual impact. I'm trying to do everything as proper as possible, and we respect the rights of other users. But these objections are just 'not-in-my-backyard' objections. And I can't make a living on 1 acre."

The discussion among CRMC members was scant; the decision swift. Her expansion was unanimously approved.

"It's a giant leap for more things to come," says Scappatura, who eventually wants to diversify her product line. "Rhode Island only produces a fraction of the oysters on the East Coast. We are so far behind other states. But this is going to keep me afloat."

The meeting adjourned, and one objector shook her hand. She headed to her favorite tavern to celebrate, and there was the neighbor who blamed her for fouling his boat motor. To her surprise, he congratulated her on the new lease, joking about getting free oysters.

And when Scappatura left, he picked up the tab.