

In The Matter Of:
Coastal Resources Management Council

Perry Raso
Vol. 6
December 30, 2020

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COASTAL RESOURCES MANAGEMENT COUNCIL
SUBCOMMITTEE HEARING

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IN RE:

CRMC File No. 2017-12-086
In the matter of Perry Raso

Public Comment

* * * * *

Date: December 30, 2020
Time: 10:00 a.m.
Place: Via Zoom
Rhode Island

MEMBERS PRESENT

Jennifer Cervenka, Chair
Raymond C. Coia, Vice Chair
Donald T. Gomez
Patricia Reynolds
Anthony DeSisto, Esquire, Legal Counsel

STAFF PRESENT

Jeff Willis, Executive Director
Lisa Turner, Secretary
Brittany Spurlock, Moderator
James Boyd, Deputy Director

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APPEARANCES

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FOR THE OBJECTORS.....SHECHTMAN HALPERIN SAVAGE, LLP
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1 WEDNESDAY, DECEMBER 30, 2020

2 [COMMENCING AT 10:05 A.M.]

3 CHAIRWOMAN CERVENKA: Good morning, everyone.

4 My name is Jennifer Cervenka. I'm the Chair of the
5 Coastal Resources Management Council. Today's date is
6 December 30, 2020. It's 10:06 a.m. This is a meeting of
7 the Subcommittee of the Rhode Island Coastal Resources
8 Management Council. We are here considering the
9 application of Perry Raso, File Number 2017-12-086 for a
10 three-acre oyster and bay scallop farm using floating and
11 suspended gear.

12 This is the second meeting for public comment.
13 There may be at least an additional one which we will
14 determine at the end of this meeting. I'm first going to
15 introduce the Subcommittee members. Again, myself,
16 Jennifer Cervenka, Chair.

17 Vice Chair Raymond Coia.

18 VICE CHAIRMAN COIA: Raymond Coia is present.

19 CHAIRWOMAN CERVENKA: Pat Reynolds.

20 MS. REYNOLDS: Patricia Reynolds is present.

21 CHAIRWOMAN CERVENKA: Thank you. Member Don
22 Gomez.

23 MR. GOMEZ: Done Gomez present.

24 CHAIRWOMAN CERVENKA: Thank you. And member --

1 well, South Kingstown representative Vincent Murray.

2 MR. MURRAY: Vin Murray is here.

3 CHAIRWOMAN CERVENKA: Now I'm going to
4 introduce staff that is with us. First up is our
5 executive director Jeffrey Willis.

6 MR. WILLIS: Yes, Madam Chair.

7 CHAIRWOMAN CERVENKA: Our deputy director, Jim
8 Boyd.

9 MR. BOYD: Good morning, Madam Chair. Jim Boyd
10 present.

11 CHAIRWOMAN CERVENKA: Good morning. Now that
12 I'm going through this, I don't see Tony DeSisto.
13 Mr. Willis, is he supposed to be attending?

14 MR. WILLIS: As far as I know. I'm going to
15 give him a call right now.

16 CHAIRWOMAN CERVENKA: Okay. We'll continue
17 working through this.

18 Lisa Turner, who is our secretary.

19 MS. TURNER: Present.

20 CHAIRWOMAN CERVENKA: I think that's Laura
21 Dwyer who is a public outreach coordinator.

22 MS. DWYER: Yes. Thank you, Madam Chair.

23 CHAIRWOMAN CERVENKA: Brittany Spurlock who is
24 our moderator for today's session.

1 MS. SPURLOCK: Present, Madam Chair.

2 CHAIRWOMAN CERVENKA: And Lisa Reis, our court
3 reporter.

4 COURT REPORTER: Present.

5 CHAIRWOMAN CERVENKA: Also with us is the
6 applicant Perry Raso.

7 MR. RASO: Hi. Thank you.

8 CHAIRWOMAN CERVENKA: Hi. Our counsel for the
9 applicant, Beth Noonan.

10 MS. NOONAN: Good morning.

11 CHAIRWOMAN CERVENKA: And then interveners'
12 counsel, Mr. Capizzo.

13 MR. CAPIZZO: Good morning.

14 CHAIRWOMAN CERVENKA: Mr. Beehnert, and
15 Mr. Wagner. And I'll start talking, but I'm trying to
16 figure out if we have our chief legal counsel who will be
17 joining us, but I can give some introductory remarks.

18 I have an updated list of speakers, and I think I
19 have 42 of them in addition to the speakers -- the 20 or
20 so speakers that already provided public comment last
21 time.

22 The rules again are that we would like you to keep
23 your comments to between five and ten minutes. If you
24 don't feel like the maximum of ten minutes gives you

1 sufficient opportunity to get through what you need to
2 get through, we have provided an opportunity to submit
3 written comment today if you feel like you have something
4 unsaid.

5 Once we get through the public comment session,
6 which would be today and possibly another session, we
7 will have a public workshop, and that will be where our
8 Subcommittee deliberates and then renders a
9 recommendation, votes on a recommendation, to the full
10 Council.

11 That will be followed by a regularly-scheduled full
12 Council meeting whereby the recommendation will be
13 presented and the full Council will vote on that
14 recommendation. That process will likely take us into
15 February.

16 We normally have Mr. Moore as our moderator.
17 Brittany Spurlock is substituting for him today. I don't
18 think we need to go through Mr. Moore's whole spiel about
19 how the Zoom meeting works, we've been doing this for a
20 little while, but Ms. Spurlock, if you could just speak
21 to how you're going to be admitting in speakers as we
22 work through the list.

23 MS. SPURLOCK: Yes, Madam Chair. As you call
24 them, if the speakers could just raise their hand it

1 makes it easier to find them on the attendee's list. I
2 will be using the chat box to let them know who is up
3 next so they can be aware. Other than that, yeah, that's
4 about it.

5 CHAIRWOMAN CERVENKA: Okay, thank you. In
6 addition to everything else I've said, we will take a
7 ten-minute break somewhere around 11:30, about halfway
8 through. Everyone can just mute themselves and turn off
9 their cameras, and then we can resume ten minutes later.

10 Mr. Willis, did you find out anything about
11 Mr. DeSisto?

12 MR. WILLIS: I'm tracking him down. No, I have
13 not, Madam Chair.

14 CHAIRWOMAN CERVENKA: Okay. I think it's
15 probably okay to get started with the public comment.
16 I'll send him a note, too, to try to find him.

17 Is there anything else, Mr. Willis, that you wanted
18 to say about what you've been posting for the benefit of
19 the public?

20 MR. WILLIS: Nothing more than what's been
21 said. We tried to keep the list as current as possible.
22 Some folks have asked to speak at the end of a particular
23 day because of their personal schedule. We have
24 accommodated all of those requests.

1 Just thinking back to our legal counsel, I know he
2 had an emergency issue last night with another town that
3 he represents, so it may have something to do with that.
4 But again, we will continue to make contact with him
5 today.

6 CHAIRWOMAN CERVENKA: Okay, great. So I see
7 that, Brittany, you indicated that a Ms. Loïselle would
8 be speaking first, but I have on my updated list Matthew
9 Wilkes. So I don't know what list you're looking at, but
10 I'm looking at a --

11 MS. SPURLOCK: Yes, yes, sorry. You are
12 correct.

13 CHAIRWOMAN CERVENKA: All right. Let me see
14 where she's at in the list. I don't know if I see her.
15 Is she on our list for today?

16 MS. SPURLOCK: She is on the list. I was using
17 the old list. Lisa had sent me the revised one this
18 morning.

19 MR. MURRAY: Third on the list.

20 CHAIRWOMAN CERVENKA: All right. Matthew
21 Wilkes is your first?

22 MS. SPURLOCK: Yes, he's the first.

23 CHAIRWOMAN CERVENKA: Could you please admit
24 Mr. Wilkes.

1 MR. WILKES: Good morning, everybody. My name
2 is Matthew Wilkes. Can everybody hear me?

3 CHAIRWOMAN CERVENKA: Yes, thank you.

4 MR. WILKES: So my family resides a 454
5 Matunuck Beach Road, and we have either participated on a
6 daily basis or witnessed on a daily basis the following
7 activities on Segar Cove: Waterskiing, tubing, boating,
8 sailing, kayaking, fishing, clamming, paddle boarding,
9 jet skiing, knee boarding, swimming, wake boarding,
10 diving, boats anchoring and hanging out, canoeing,
11 photography, and probably other activities as well
12 almost year round in Segar Cove.

13 I'm pointing that out for a couple reasons. One, I
14 reviewed Mr. Raso's application which says that, I
15 believe it's a quote from him, that he occasionally sees
16 a paddle craft in the proposed area where he is proposing
17 to put his farm, which I just find to be disingenuous.

18 Segar Cove has a tremendous amount of activity all
19 year long, and as the 20 people before me, you know, I
20 co-sign what they have to say. There's a ton of activity
21 in this cove. I just wanted to put that on the record.

22 On the top of his application, moving on to another
23 point, it says he needs to demonstrate the need for this
24 new farm, and it says that he satisfies this need with

1 one sentence. It says "to produce Rhode Island
2 farm-raised shellfish to meet an increasing demand."

3 I find this pretty vague. It's one sentence. It's
4 not backed up by any statistics, data, any comments from
5 grocers or vendors or restauranteurs or anybody saying
6 that there is an increasing demand for oysters and
7 scallops in the State of Rhode Island.

8 You know, on a surface level, to me, without having
9 any of that data, personally as a consumer I never had a
10 problem getting an oyster or scallop, and I've lived in
11 Rhode Island for 35 years. I don't see an increase in
12 demand. It seems pretty steady to me. I never had a
13 problem obtaining that shellfish.

14 It does seem to me that the only thing I can see on
15 the surface level is that Matunuk Oyster Bar has expanded
16 over the last few years. They expanded the upstairs, the
17 second level, and they have a huge outdoor rooftop patio
18 now. You know, I'm just saying that it seems like
19 Matunuk Oyster Bar has increased. Are we privatize this
20 beautiful public resource for the benefit of one
21 individual who is going to grow scallops and oysters
22 because he has an increasing demand in his own
23 restaurant. It seems to be a detriment of the public to
24 do so.

1 Moving on. All the aforementioned activities,
2 waterskiing, tubing, boating, sailing, there was one
3 gentleman that stuck out to me in particular who said,
4 personally, I think probably half of those activities
5 would not be able to be happening on Segar Cove. But
6 there was a gentleman before me who mentioned that they
7 are still going to happen. It's just going to be
8 dangerous now. I tend to agree with him.

9 We have -- there's a ton of activity there, and he's
10 taking up a huge amount of space, and it's just going to
11 create dangerous activities for the people that enjoy the
12 cove.

13 Another point in the application, it mentions that
14 the floating gear will be positioned out of direct view
15 of any homeowner on the pond. This is just inaccurate.
16 We can directly see it from 454 Matunuck Beach Road, and
17 I know of a handful of other residents who can directly
18 see the floating gear that is in the proposal. I just
19 find that to be -- there's a bunch of inaccuracies in the
20 application. So it begs the question of, you know, how
21 are we going to approve this application going forward
22 with all these inaccuracies within the application.

23 That's all I have. You know, I don't want to take
24 up everybody's time and go over a lot of the stuff that

1 everybody has already gone over. It's been a very long
2 process, but I hope you take everybody's comments into
3 consideration. Thank you very much.

4 CHAIRWOMAN CERVENKA: Thank you, Mr. Wilkes.
5 Next we have Debra Carreau.

6 MS. CARREAU: Hi. Good morning.

7 CHAIRWOMAN CERVENKA: Good morning. Just a
8 minute. Ms. Spurlock, can you then take off Mr. Wilkes
9 now that you admitted Debra?

10 MS. SPURLOCK: Of course.

11 CHAIRWOMAN CERVENKA: Thank you. Go ahead,
12 Ms. Carreau.

13 MS. CARREAU: Thank you. Thanks for the
14 opportunity to speak with all of you today. Also I'd
15 like to thank the Council for listening to hours of
16 testimony and hearing from all of us. I think that's
17 really a great public service.

18 I'd also like to thank Mr. Raso. He and his workers
19 have been great neighbors. You know, we've had no issues
20 at all as we boat almost daily by his current oyster bed,
21 and we've also enjoyed many a great meal at the Matunuck
22 Oyster Bar. However, we do not support the proposed
23 expansion.

24 Over ten years ago, my husband and I bought property

1 on Prospect Road. We were attracted to the natural
2 environment and the beautiful beaches of Matunuck. Our
3 greatest joy was discovering the many activities that we
4 could embark upon on Potter Pond.

5 During the last ten years we've clammed, crabbed,
6 kayaked, paddled, boated, swam, tubed, waterskied, and
7 it's beautiful waters. Unfortunately, though, we've seen
8 the pond environment and the ecology around the pond
9 change during these last ten years, excessive weed
10 growth, algae blooms and increases in clean jellyfish
11 have occurred.

12 In fact, on the evening of July 4, 2017 my son was
13 clamming and was stung repeatedly by a clinging
14 jellyfish. I spent the night with him at the South
15 Kingstown Hospital as he was having trouble breathing.

16 Later that summer there was an article in the
17 Providence Journal about the large number of individuals
18 who were stung in the pond. I don't know their source,
19 but there may be some correlation to oyster beds based on
20 some of the limited research that I've done.

21 We've tubed and waterskied in Segar Cove, enjoying
22 the long open expanse of deep water. We have a 21-foot
23 boat, and we need the full expanse of the cove to
24 comfortably pull a skier or a tuber.

1 Just one minute. I want to shut the door so you can
2 hear me. My little dog keeps opening it.

3 [PAUSE]

4 MS. CERREAU: We are concerned, really, that by
5 building another oyster scallop bed in this pristine cove
6 with limit the activities that we have come to enjoy.

7 The channel approaching Segar Cove is also very narrow
8 and there are many small watercrafts that go in and out
9 of the channel. I frequently clam the channel area, and
10 along the shore where the proposed expansion would occur
11 it's actually one of the richest areas to clam. I would
12 be very concerned, as so many other people have commented
13 on, about the potential for boating accidents in that
14 channel area.

15 Andrew Wilkes, the first speaker, was a hundred
16 percent correct on the navigational aspects of the pond.
17 We carry a paddle with us all the time. As a majority of
18 the pond is so shallow, we sometimes run aground.
19 Perhaps that's not a really good commendation to my
20 husband's boating skills.

21 The only safe place to boat in Potter Pond is in the
22 channel, in Segar Cove, and in the north basin. By
23 approving this request, you reduce recreational
24 activities associated with deep water by 50 percent.

1 I ask all of you making this important decision,
2 would you want this in your backyard? Would you want to
3 restrict your recreational activities because someone
4 wants to make their business bigger, larger, perhaps more
5 profitable? I ask you to consider the residents who
6 enjoy these pristine waters and the impact further
7 development and activities another oyster scallop bed
8 would have on the environment and the recreational
9 activities we enjoy on the pond.

10 I'm very sorry for all the noise in the background.
11 That's all I had to say, anyway. So I really appreciate
12 your time. Thanks again.

13 CHAIRWOMAN CERVENKA: Thank you, Ms. Curreau.
14 I just note for the record that Tony DeSisto, our chief
15 legal counsel, has joined the meeting. Hi Tony.

16 Next we have Mark Latham.

17 MS. SPURLOCK: I have a Mark on the attendees
18 list. Mark, if that is you, could you please raise your
19 hand.

20 [PAUSE]

21 MR. LATHAM: Good morning, everybody. Can you
22 hear me? Good morning.

23 CHAIRWOMAN CERVENKA: We can.

24 MR. LATHAM: My name is Mark Latham, and in the

1 next couple of minutes what I'd like to cover is give you
2 a quick background on who I am and my views and
3 observations of Segar Cove and talk a little bit about
4 the proposed farm, and then reflect on what I believe the
5 results and the effective outcome of that farm would be
6 on the pond if it is approved, and then talk about a
7 possible solution that would effectuate a solution for
8 everybody concerned.

9 So I'm Mark Latham. I'm part of the Latham family
10 that lives at 298 Prospect Road. I'm 57 years old, I'm
11 married, and I have six kids. I'm part of a family of
12 four generations of Lathams that have enjoyed Segar Cove
13 and the use of the pond. We've been coming out to the
14 area for over 50 years. I counted up this morning and
15 was pretty wild by the fact there are 30 family members
16 over the course of the last 50 years that have enjoyed
17 the use of that pond. And it's growing.

18 We are publically expecting grandkids at some point
19 in time, and I'm sure over the next 50 years we'll be
20 enjoying the use of the pond. We also through the years
21 have had hundreds of guests, which is not an
22 overstatement. Literally hundreds of guests. And we've
23 used the pond in a number of different ways, skiing,
24 tubing, sailing, paddle boarding, bare footing, swimming.

1 We used to have swim races right across the pond with a
2 rowboat following the swimmers.

3 We have tremendously enjoyed the use of the pond,
4 and I also counted up there are 30 other homes which
5 represent 30 other families right on that pond, and our
6 family is 30 family members, four generations. There are
7 30 other families on that pond that are the same as us.
8 So it's not a small group of people that are impacted.
9 It's a very big group.

10 In addition to the 30 others right on Segar Cove,
11 there are 120 other homes, 120 other families all around
12 what I call that area the third cove, skiers pond, et
13 cetera, all the way around to the gut, another 120 family
14 members, 120 families. No telling how many members in
15 those families that would be effected by that. Over the
16 last 50 years, all of those family members, including the
17 30 Lathams, have used this pond in a number of different
18 ways and have enjoyed it tremendously.

19 The proposed farm is an increase of an existing farm
20 on the pond which was started out, I think, and I don't
21 know the exact, I can't quote exactly. It started out as
22 four acres, was approved to go to seven, went to nine,
23 operated at nine for several years which was above what
24 it was supposed to be operating. It is right out in the

1 middle of the pond.

2 You can see it, and you can hear it regularly. The
3 boats coming in and out, the workers, the racks early
4 morning and late at night. Years and years watching
5 that.

6 The proposed farm to increase is right out in the
7 middle of Segar Cove on the northeast side. It's my
8 estimation, and I think everybody has heard the experts
9 talk about it, the proposed farm will decrease the area
10 of use in Segar Cove what I believe to be fairly
11 dramatically. That will effect hundreds of people. And
12 what I didn't also address is, there's hundreds of guests
13 that come through the gut to use these ponds and
14 particularly end up in Segar Cove. So there's a lot of
15 activity. The proposed farm will increase -- excuse me,
16 will decrease the size of the ability to use the
17 recreational area, benefitting one person. I don't know
18 if it's just one individual that will own the farm or
19 whether there's two or three limited partners or what
20 have you, but a limited group of people will benefit and
21 a huge amount of people will be effected.

22 In my opinion the results of this, having tubed
23 hundreds and hundreds and hundreds of times and skied, et
24 cetera, that the effective result and outcome of a farm

1 being placed in Segar Cove will be impairment, impairment
2 of the use of the pond in a fairly dramatic fashion.
3 That impairment will cause the recreational area to be
4 reduced dramatically.

5 I learned how to bare foot on that pond, I learned
6 how to ski on that pond, my kids have learned how to ski
7 on that pond. There is, in the summer months, a great
8 deal of activity on that pond. I have taught a bunch of
9 kids how to ski and a bunch of kids tubing. My
10 experience has been it's a fairly dicey situation in a
11 water area that is used by a bunch of people to teach
12 kids and safely boat and tube kids, recreational
13 activities, when there are other boats in the area. When
14 you decrease that area where those activities will
15 happen, it's going to -- in my opinion, it's going to
16 increase the danger of the use of that pond.

17 The potential danger, I forget who spoke about it,
18 all it's going to take is one time in a busy summer
19 weekend where a kid's popped off the tube and a boat
20 comes around because it can't go through the proposed
21 farm, goes into a ski area, that doesn't see a kid in the
22 water and the potential outcome of that is devastating.
23 Absolutely devastating, and is not worth that risk in my
24 opinion.

1 I do believe that the proposed solution, a proposed
2 solution, has been a lot of discussion about all sorts of
3 things and experts. I think that -- I know the area
4 pretty well, and in my opinion the solution is another
5 location. Pick another location that is not going to be
6 effected as dramatically the effect will be on Segar
7 Cove, that will produce the same results for the one
8 individual that will benefit from an expanded farm, and
9 in fact, as I looked at the pond area, I've never met
10 Mr. Raso. I've been to the restaurant. I love the
11 restaurant. We love the restaurant. I understand he
12 lives in the pond. I'm fairly certain which house is
13 his. There's a perfect spot right out in third cove or
14 skiers cove that could be used as an oyster farm. In
15 fact, as I understand, was used many, many years ago, and
16 that area is right in front of Mr. Raso's home. And so,
17 what a wonderful solution that might be. I know that
18 there will be other people effected in that area, but the
19 little cove in front of Mr. Raso's house is not used to
20 spin skiers around because it's too small. There's a big
21 dock area jutting out in front so you really have to kind
22 of stay away from that.

23 My reflections are to respectfully decline this
24 application and to re-work a solution that might provide

1 everybody the options they are looking for. I developed
2 condominiums in a number of different places and have
3 been refused the development in areas where it just
4 didn't make sense. I had to go back to my drawing board
5 and figure out an alternative location, which I've done
6 on a number of occasion, and I'm suggesting that would be
7 the best solution given everybody's comments and
8 Mr. Raso's intent to grow his business, which I think is
9 fantastic.

10 I just think long term, and possibly short term, the
11 effects of an increased farm area on Segar Cove are going
12 to impair the use of that area. Hundreds of families,
13 like my grandparents who worked hard to buy a lot and
14 then build a home so that their families can enjoy that
15 area, the fruits of their labor, to be impaired by a farm
16 is a big issue. But more importantly, in this particular
17 instance I believe that the potential result is a real
18 danger in addition to the impairment.

19 I appreciate the opportunity to reflect and give
20 observations, and I thank you very much.

21 CHAIRWOMAN CERVENKA: Thank you, Mr. Latham.
22 Next we have Jane Enos.

23 MS. ENOS: Good morning.

24 CHAIRWOMAN CERVENKA: Good morning.

1 MS. ENOS: First I would like to say thank you
2 very, very much for this opportunities. I know it's just
3 amazing to be able to pull this all together and to
4 provide us a platform to be able to speak with you in
5 such a really challenging time.

6 My name a Jane Enos, my husband is Gary Enos, and
7 I'm going to be speaking on behalf of our family. My
8 husband is a third-generation resident of Matunuck,
9 particularly on Potter Pond at 267 Prospect Road. And
10 when he and I were thinking about how to present feedback
11 to you and reflection to you over the last three years,
12 we've written a number of letters and have participated
13 in the hearings. This one evening we were sitting and we
14 were talking about what it must have been like when his
15 grandparents first bought property here in 1958,
16 similarly as the Lathams did, and I believe the Baccardis
17 did as well, and a number of other families. Imagine
18 1958 what this island looked like. It's just amazing to
19 think about.

20 Gary's grandparents' name are Bud and Ann Jackson,
21 and they built their house in 1958 and they summered
22 throughout all of those years and then they moved in as
23 full-time residents in 1970. One of my first experiences
24 with the Enos family, as they come to celebrate so many

1 activities here on Potter Pond, was watching an eight
2 track tape video of what it was like when they were
3 building the house. Just imagine the video that you are
4 watching is yellowed, and people are walking around
5 really fast and waving, and the men are all collecting
6 the shellfish, the women are setting up a huge picnic
7 table made out of sawhorses, and the kids are all jumping
8 and waving and, you know, wanting the attention of the
9 family to see them jumping off the docks. They are just
10 amazing memories in 1970. It's just amazing to think
11 about.

12 And then later with Bud's passing, Gary's
13 grandmother Ann Jackson lived here alone for many years
14 as a full-time resident. And later her daughter Beverly
15 and Beverly's husband Red, as everybody called him, Enos
16 moved here full-time in 1983. Now recreation became so
17 much different then because there was so more access to
18 things like sailing, a lot more boating, the issue of
19 skiing and fishing and lobstering, all of that, and
20 shellfishing, was really starting to really emerge with
21 the numbers of people who were living here and also the
22 numbers of people who were recreating here. Summer
23 parties, birthday events. It was great. It great.

24 Gary's dad Red was the designated driver for all of

1 us as skiers, and he would whip us around Segar Cove like
2 you wouldn't believe. You just had to hold on for dear
3 life and we all screamed with joy about it all. And my
4 husband, being a farm skier, he needed every single inch
5 of that pond to ski. And I know the Lathams know that to
6 be true, you know, because we've all done it. But what a
7 blast. The greatest, greatest of memories.

8 And for us, when we taught our children, you know,
9 Segar Cove is a safe place. Because we live at 267
10 Prospect Road, we are facing the East Matunuck Beach
11 side. So as we're leaving our dock and going to Segar
12 Cove, it's just a safe place for beginner skiers to be
13 able to come home if we needed to in a quick minute, or
14 to be able to jump in the water, get them set up again,
15 and off they go. We had so much fun. So much fun. So
16 many memories.

17 My husband has taught my grandson how to kayak and
18 then to take an adult kayak and fish from it over in that
19 cove. We've talked about the numbers of types of fish
20 that love to come into this pond and particularly in the
21 different deep water coves. It's one of the best little
22 places to teach your kids how to fish.

23 Certainly along with that we had sunfish, you know,
24 sailing all around. It was great. And actually it is

1 too shallow to sail, particularly where we are, with the
2 major shellfish farm in front of us, but we still did
3 that so much and had a lot of fun. Paddle boarding,
4 kayaking. The thing with paddle boarding and kayaking,
5 what's really nice about Segar Cove is if you stay along
6 the edges, the water is so clear and crisp there's so
7 many different things that you can see and enjoy.

8 So living here has offered so many wonderful,
9 wonderful experiences for our family. Even for us,
10 living here in the winter, though it may not be relevant
11 to this conversation but it's still the personal
12 experience that we've had being here to see the wildlife
13 on the pond and to enjoy every sunset or sunrise. It's
14 to be here, a part of this earth on a daily basis. It's
15 just amazing.

16 The other thing I wanted to share with you, you have
17 probably seen a number of pictures. It's of my husband
18 who has a commercial shellfishing license. And one of
19 his favorite spots is actually Segar Cove. And over the
20 last three years my husband has literally dug, and I've
21 asked him a hundred times, are you sure, that's crazy, he
22 has literally dug over 10,000 quahogs from the area
23 that's designated to be the new Segar Cove leased
24 shellfish farm.

1 In previous hearings we heard that Mr. Raso in
2 collaboration with the DEM could only find one quahog per
3 cubic foot. You know, that's completely understated.

4 One more memory I want to share with you because I
5 am sharing with you Our personal memories, as many other
6 people have done as well, in hoping that you see this in
7 a much more collective way is that Gary's parents and his
8 grandparents loved this area as deeply as we love it, and
9 our children love it, and our grandchildren love it. And
10 they gave us this phenomenal gift and passed it down to
11 us to be able to really be a part of this life that we
12 live here.

13 When Gary's father passed, legal or not legal, we
14 took his ashes and we shared them with his very, very
15 special place that he loved so deeply along the entire
16 pond, but particularly as you heard a couple of folks
17 say, everybody has their special spot. And so, in Segar
18 Cove was a special spot where his ashes were laid.

19 Now, I've just spoken very briefly of 62 years of
20 memories of friends and family and life here where we are
21 full-time. And for us, I wanted you to think of one
22 man's business versus a community of people who have
23 lived here and have recreated here on Potter's Pond, on
24 Segar Cove. How do you weigh the pros and cons of making

1 a decision?

2 Our life experiences, our life memories and moments,
3 in a blink could be found not significant to one man's
4 business adventure. In these times where communities
5 need or don't need any more disappointment or
6 infringement on what brings us joy, we truly hope that
7 you consider our experience collectively through the good
8 of the many versus the one whose need, greed, whatever,
9 is enough. As someone said previously, it's enough.

10 So thank you for this time, I truly appreciate it,
11 and I hope you do consider the numbers of persons who are
12 speaking from the heart about our lives and the impact
13 that this can make on our lives. Thank you

14 CHAIRWOMAN CERVENKA: Thank you, Ms. Enos.
15 Joel Thompson.

16 MR. THOMPSON: Okay. Can everybody hear me?

17 CHAIRWOMAN CERVENKA: Yes.

18 MR. THOMPSON: Thank you very much. I
19 appreciate the opportunity to speak before the
20 Subcommittee. My name is Joel Thompson. My wife Jane
21 and I own the property at 288 Prospect Road.
22 Essentially, based on the various maps and figures that
23 had been given in previous testimony, we are about
24 approximately 600 feet from the proposed site.

1 What I want to do is, we've been living there or
2 have owned the property since 2006, very much enjoyed it.
3 Also the fact that we can allow our grandchildren to
4 enjoy great property, and somewhat like Mr. Latham said,
5 pass it down to the generations so that people can enjoy
6 the beauty of Segar Cove.

7 The main thing I think that I want to point out is
8 more a case of not so much going through the different
9 things as far as other people have very emotionally
10 stated. I think what I would like to do is point out
11 some things, at least that I see as far as the testimony,
12 both earlier ones from the November professional
13 witnesses -- or I should say the expert witnesses, all
14 the way through.

15 I think the key thing is that what sits in my mind,
16 and things that voting members of the Subcommittee should
17 consider, is the fact that all the initial talks seem to
18 be treating Segar Cove and also with it Potter Pond as
19 just one uniformed cube or whatever, discussion about
20 five percent, three percent, what we can cut off. It's
21 one thing to say we're cutting off three to five percent
22 of a uniform area. Potter Pond and Segar Cove is not a
23 uniform area. People have brought up the fact
24 differences in depths, the form of the shoreline, rocks,

1 things like that, come into play.

2 So I think the thing is, at least what I ask the
3 voting members of the Subcommittee to take into account,
4 is that you've been hearing from people that are very
5 much concerned about losing the ability to recreate on
6 the pond.

7 If you go back to the testimony of Dr. Rice back in
8 I believe November, somebody asked him the question of
9 was he familiar with Segar Cove. Dr. Rice said while he
10 was familiar -- and again, I'm paraphrasing his
11 testimony -- he says but I do not have the intimate
12 knowledge that the locals or residents would have. I
13 think the key thing is that we're bringing forth to you
14 to take into consideration that local knowledge.

15 Also, as far as that time, Dr. Rheault had made a
16 statement that it was under the control, I believe, his
17 words were of the sovereign. Based on the Rhode Island
18 state constitution and the guidelines that set up CRMC,
19 keep in mind that the sovereign are the people of the
20 State of Rhode Island. So it's not an individual.

21 Also, as far as early testimony, Dr. Byron was
22 talking about the carrying capacity of the pond, both the
23 biological and social capacity. I think, keep in mind
24 there, that a lot of talk was based on a study done in

1 New Zealand. Keep in that New Zealand is a country
2 approximately 100 times larger than the State of Rhode
3 Island an area, but in terms of density of population,
4 probably about 150th of what Rhode Island population
5 density is. So keep in mind that comes into play.

6 The other thing that I want to bring up is that when
7 we start talking about uses, under CRMC guidelines Segar
8 Cove is designated as a Type 2 low intensity use area.
9 Again, it's described as an area of high scenic value,
10 supports low intensity recreation and residential use.
11 If you go onto -- I found a document that you guys have,
12 CRMC guidelines, non-regulatory findings, references and
13 figures from CRMC red book. Further, as far as working
14 with the description of Type 2, and that's on Page 10 of
15 that document. In the first subparagraph, essentially it
16 describes it as densely -- developers central areas about
17 much of the waters in this category, and here docks
18 activities and small scale alterations, again small scale
19 alterations, associated with residential waterfronts may
20 be suitable.

21 As property owners, we can request small scale
22 alterations, but in this particular case you're talking
23 about taking up three areas under control of one person,
24 and in turn putting in safety boundaries. You are taking

1 a big chunk of Segar Cove out.

2 As far as boat use, people have talked about that.
3 It's been documented that on Segar Cove alone there are
4 26 docks. During the boating season, it has pretty much
5 a boat on every dock, on many of the docks two boats.
6 Also take into account the fact that in the mooring field
7 there are approximately north of 20 moorings, so at a
8 minimum there are 46 boats on Segar Cove, and there is a
9 lot more based on the fact that you also have to take
10 into account the fact when we talk about Segar Cove, you
11 also are talking about property owners on the other side,
12 seaweed cove up to Matunuk Point, because Segar Cove is
13 the recreational area for people in that area, rather
14 than having to work your way through the shallow water to
15 get to the northern cove that everybody has been talking
16 about.

17 So on that basis, I ask that you take these things
18 into consideration when it comes time to vote and keep in
19 mind that there's a very serious opposition. Again, it's
20 not an opposition to Mr. Raso, or his restaurant. It's
21 just the fact that this is not the place that we feel
22 that this is correct for Segar Cove, on Segar Cove I
23 should say.

24 That concludes what I have to say, and I want to

1 thank you for giving me the opportunity to speak. And I
2 will give up at this point. Thank you.

3 CHAIRWOMAN CERVENKA: Thank you, Mr. Thompson.
4 We have Sophia Weldknecht.

5 MS. WELDKNECHT: Hi. Can you guys hear me?

6 CHAIRWOMAN CERVENKA: We can.

7 MS. WELDKNECHT: Okay. So my name is Sophia
8 Weldknecht, I'm 16, and I am a little nervous. I haven't
9 done this before. This is important to me so I thought I
10 would do it.

11 So Matunuk is my second home, and I have more
12 memories there than I can count, from my first time
13 waterskiing to my first time tubing, and everything in
14 between. My sister and I have explored every single inch
15 of that pond and have our fair share of embarrassing
16 moments to prove it.

17 In my 16 years of life I haven't skipped a summer,
18 and I look forward to my time there more than anything
19 else. I count down the days until I go, and the first
20 jump into the pond after getting off the plane is the
21 best feeling in the world.

22 I've spent hours on paddle boards and kayaks trying
23 to find something new, and I have endless videos of
24 trying and finally making it up one ski. We bring

1 friends up here and have the time of our lives,
2 absolutely crushing it on the skis and on the tube,
3 making memories that will never ever be forgotten.

4 Potters Pond is an unchanging constant in my life,
5 something that never fails to make me happy. I love the
6 pond more than anything and can truly say that I feel
7 totally and completely at home the moment I get out of
8 the car from the airport. There's no where else that
9 makes me feel as content as the pond, and a new oyster
10 farm will prevent me, as well as those I love, to make
11 the memories that stay so fondly at the front of my
12 thoughts.

13 If the farm goes in, there are so many people that
14 won't get to experience the same memories that I have,
15 like almost tipping a sailboat or riding on a jet ski for
16 the first time. I know if the farm goes in, it will be
17 extremely dangerous for when we go in that area if we
18 fall and get caught under the water.

19 There are so many things that I never would have
20 done if it hadn't been for the pond, and my heart breaks
21 to think that I might not be able to relive the things
22 that I love to do or that I could be losing the thing I
23 love the most.

24 Thank you for your time.

1 CHAIRWOMAN CERVENKA: Thank you. I am glad you
2 decided to speak. I have a 15-year-old, and I'm always
3 trying to get her to do these public speaking events. So
4 I admire you for doing that.

5 MS. WELDKNECHT: Thank you.

6 CHAIRWOMAN CERVENKA: All right. Thanks. I
7 think we have another member of your family. Jess --

8 MS. WELDKNECHT: I figured I would move the
9 camera over. Does that work?

10 CHAIRWOMAN CERVENKA: Yes.

11 MS. WELDKNECHT: So just for frame of
12 reference, my name is Jessica Weldknecht. I have been
13 coming to Matunuck, Rhode Island every single year for
14 the past 47 years. My first trip there was when I was
15 six months old. I have spent summers, winters, falls,
16 springs in various locations all over Prospect Road. But
17 really more than that, I think my daughters, my husband
18 and I consider that whole area our second home. This is
19 where generation upon generation have learned how to
20 swim, we've learned how to quahog, we've learned how to
21 tube. My girls have learned how to fish, they have
22 learned how to kayak, sail, et cetera. Most importantly,
23 they've really learned how to enjoy all the beautiful
24 things that nature has to offer, like watching the

1 wildlife, and we've watched the osprey nest over the
2 years. It's been really, really fun for us.

3 Many years ago, I came to Matunuk and noticed that
4 we were not able to go to what we call the flats at the
5 time. I'm sure that people are locals know that the
6 flats where we used to go quahog and take kayak rides,
7 since we noticed that that area was now dangerous and
8 pretty much off limits due to the oyster farm that was
9 being built ridiculously large at the time. It was quite
10 a shock to everyone around us that it came up in a short
11 period of time without many of the locals even knowing
12 about it. The cages, the buoys, the nets were kind of an
13 ugly site to look at from what used to be a real
14 beautiful area. And now it's dangerous for those of us
15 who wanted to use the pond for recreational activities
16 all year round.

17 Furthermore, and one thing that wasn't brought up
18 was, I think it was brought up maybe once that the
19 farmers at times like to play loud music on the barge
20 while working there which really sort of kills the whole
21 serenity and peaceful environment of that area. If and
22 when that would happen in the proposed farm, I don't
23 know, but it really puts a damper when you're listening
24 to loud, loud music coming off the barges.

1 Anyway, as you heard before, my daughter Sophia, she
2 considers Matunuck and Segar Cove really their second
3 home. We've been there every year since they were born.
4 Last summer we spent careless hours with friends and
5 family doing hundreds of things on the water at different
6 times of the day. We've taught our daughters the
7 importance of actually splashing when they fall off their
8 skis because of the amount of boats that are coming
9 through there so that they are safe and they keep
10 themselves safe. So when they splash falling off their
11 skis, the jet ski, kayaks to let other recreational users
12 know we are there and they need to be safe.

13 It's really engrained in all of the adults and
14 especially into the kids in that area that we need others
15 to know that we're in the water so not to run us over.
16 That's just life at Segar Cove and they all have been
17 taught to do that which kind of tells you the amount of
18 kids that are in there at that area.

19 So fast forward to where we are now. Why it's
20 important for me to say something about this new proposed
21 farm and location, I'm really -- my heart is coming from
22 the heart of a mom of two young daughters who use that
23 water all the time.

24 I've listened to Mr. Raso's testimony. I've heard

1 him say that he's lived in the area and on Segar Cove for
2 years, and that he rarely sees any recreational activity
3 on the pond. For someone who has spent countless hours
4 on the pond, visiting his oyster farm, and the new
5 proposed location, he knows that that is not true. And
6 that in itself worries me because he knows that this
7 place is used all the time.

8 If you were to sit on a dock at Segar Cove and video
9 from 8 to 7, you would probably see at least 10 to 20
10 different boats a day being used for all kinds of
11 activity, usually with young children being towed,
12 fishing, swimming, everywhere. And when I say
13 everywhere, I mean everywhere. It is all over the pond.

14 People come from all over the East COAST to use that
15 area. They rent or buy homes on Segar Cove because it's
16 one of the few ponds where these activities happen. The
17 option of water sports happening on the north cove or
18 third cove, I don't know what they actually call it, what
19 the real name of it is, it is increasingly difficult as
20 it's more crowded than ever before. So if you have tried
21 to ski there, it is too crowded or busy with anchored
22 boats, partying, fishing, and all that kind of stuff.

23 Anyway, the water on Segar Cove is a public pond for
24 everybody to use and enjoy. Putting the farm there is

1 going to be an unacceptable tradeoff, giving exclusive
2 use to one business at the expense of the public's
3 general use and enjoyment of that pond.

4 If the application goes through, thousands of locals
5 tourists will lose what's most important to all of us in
6 this area, a serene, beautiful spot where kids,
7 teenagers, adults can have fun on the water, make
8 countless memories. And really for us moms, I don't want
9 to worry about major danger factors due to the decrease
10 in space on the pond. The countless nets and buoys under
11 water, floating cages, Segar Cove has a really narrow
12 entrance as it is. So the amount of boats coming in and
13 out daily with oyster farm workers and on the Matunuck
14 Oyster Bar tours that I know happen on these large
15 barges, which are offered to clients of Mr. Raso's
16 restaurant year round, is only going to bring more
17 disruption, noise and significant increased danger to all
18 of us who use that area.

19 As a mother of these two young daughters, and I've
20 got nieces and nephews, I'm terrified to let them use it.
21 As you all know, there's been a great deal of conflict
22 and the farm is not even there yet. The Town voted
23 unanimously to oppose it. Rhode Island Marine Fisheries
24 could not even vote to approve it. The local

1 conservation commission voted against it. And the
2 residents and other users of Segar Cove are against it as
3 demonstrated by all the letters of opposition that you
4 have received.

5 So, therefore, I'm asking you to please not let the
6 farm destroy what so many generations have enjoyed over
7 all the years. I ask that you please stop removing
8 public property for public business and private wealth.
9 We know that there are other areas that would be better
10 for this proposed farm. I ask that you please look into
11 those.

12 Mr. Raso once said, and I quote, "I'm worried about
13 my own business, but my business relies on the community.
14 It's part of my business to help the community when I
15 can." End quote.

16 So, Committee, we're just asking you that you please
17 find it in your hearts to help us now and keep this place
18 what it's been generation after generation. It's a place
19 we love and we want to use, and as a mom, a place that I
20 want to keep safe for my girls to be able to go out there
21 and ski and have fun and make memories for their own kids
22 and for future generation.

23 Thanks again for listening to us. I'm sitting
24 right now in Colorado, and it's 16 degrees below zero.

1 So thinking of Potter Pond right now is making me
2 extremely happy.

3 CHAIRWOMAN CERVENKA: All right. Stay warm.
4 Thank you for your comments.

5 MS. WELDKNECHT: Thank you.

6 CHAIRWOMAN CERVENKA: Ed Stapans.

7 MS. SPURLOCK: Madam Chair, I don't see an Ed
8 Stapans on the list. Ed, if are you there can you please
9 raise your hand.

10 CHAIRWOMAN CERVENKA: Any hand?

11 MS. SPURLOCK: No, I don't see anyone.

12 CHAIRWOMAN CERVENKA: We'll move on from Ed
13 Stapans. If he is in the audience or comes back in, he
14 can raise his hand and indicate that he'd like to speak.

15 MR. CAPIZZO: Madam Chair, I believe he may be
16 on the phone. I'm not sure if we have any individuals on
17 the phone, Brittany.

18 MS. SPURLOCK: Okay. If you are on the phone,
19 Ed, you can press star 9 to raise your hand. There is
20 one phone number on there.

21 [PAUSE]

22 MS. SPURLOCK: I don't see anything.

23 CHAIRWOMAN CERVENKA: Are you receiving some
24 communication, Mr. Capizzo, from Mr. Stapans?

1 MR. CAPIZZO: No. I just received a text
2 saying that he may be participating via phone.

3 CHAIRWOMAN CERVENKA: Okay. Well, we can let
4 him back in if he joins at a later time. He's just going
5 to lose his place. Moving on to Becky Durkin.

6 MS. SPURLOCK: Becky, if you are there, could
7 you please raise your hand. I don't have anyone raising
8 their hand, Madam Chair.

9 CHAIRWOMAN CERVENKA: Again, Ms. Durkin or
10 anyone who knows her, she can still participate. She'll
11 just go to the end of the line. Cynthia Larned.

12 MS. SPURLOCK: We don't have a Cynthia on the
13 attendee's list.

14 CHAIRWOMAN CERVENKA: Okay. Moving on to Chris
15 Roebuck. Mr. Roebuck, can you please raise your hand.

16 MS. SPURLOCK: Again, Madam Chair, I don't have
17 anybody with that name on the attendee's name.

18 CHAIRWOMAN CERVENKA: Okay. Before we break
19 today, I'll go back and check to see if these people show
20 up, and if we have some time, give them an opportunity or
21 put them on the list for a session if we need to have
22 another session.

23 Next is Nessa Richman.

24 MS. SPURLOCK: Nessa, if you are there can you

1 please raise your hand. We don't have anyone.

2 CHAIRWOMAN CERVENKA: Carole Rollins. Hi,
3 Ms. Rollins.

4 MS. ROLLINS: Hi. You got somebody, you guys.

5 CHAIRWOMAN CERVENKA: I was beginning to worry.
6 Okay, you're up.

7 MS. ROLLINS: There I am. How is that? Hi.
8 My name is Carole Rollins. Thank you for hearing my
9 testimony today. I am a resident of Rhode Island, and we
10 have a home on Park Avenue. We had that home for about
11 60 years. Park Avenue is down at the south end of the
12 cove. We also have a mooring there, and we've had that
13 mooring there for 60 years as well.

14 I spent every summer of my life on Segar Cove and
15 still do. Playing in the cove at such a young age and
16 recreating on the cove, doing all the activities that so
17 many of the other people who had their testimonies have
18 done, it has really formed and helped create who I am
19 today.

20 Actually, it actually has chosen my profession and
21 helped me do that. What I mean by that is, I am an
22 educator. So through my education, I am a teacher of
23 25 years plus in public school, and I possess a master's
24 degree in environmental education. So it's safe to say

1 that I do have a strong connection with the natural
2 waters and coastlines and environment of Rhode Island,
3 especially at Segar Cove, since that's where I grew up.

4 Well, in my opinion, recreation is the best form of
5 education. With 25 years of teaching, I've taught a wide
6 variety of students, from inner city to people in all
7 walks of life. And I can say for certain that the one
8 thing I do know is that children do learn the best by
9 exploring the natural world and learning with mud under
10 their fingernails and salt in their hair.

11 So a funny story is when Perry was doing his
12 graduate work, I was working at a classroom in East
13 Greenwich, and one of Perry's requirements was to come
14 and speak in a classroom. And Perry came to my
15 classroom, so I do know Perry very, very well. I respect
16 Perry for all that he does for us.

17 But, much like all of us, Perry was once a child.
18 He explored the back pond, he dug for clams, he practiced
19 safe boating and skills, all of which would lead him to
20 form his education. First he recreated. Then he took it
21 further and got an education around that, which then he
22 started the Matunuck Oyster Bar, and it's a wonderful
23 place that represents our small Rhode Island beach town
24 on a world stage. And for that thank you, Perry, for all

1 that you do. We really appreciate it.

2 But then there comes a time when the use of our salt
3 ponds for profit can burden the original purpose for
4 preserving these pristine habitats. So as a resident of
5 Rhode Island and the United States, like all of our
6 citizens, we are entitled to enjoy and recreate and
7 cherish our waterways as part of the public trust.

8 It is the idea that the public lands are for just
9 that, the public. This is the reason why people like
10 Perry have grown up to do what they do, because it's open
11 to the public. It's the very reason why all of us Rhode
12 Islanders have such a strong culture surrounding the
13 water and the ocean, and that's why we all enjoy the
14 Ocean State.

15 So it's important to recognize that taking away a
16 place to recreate is like taking away the opportunity for
17 future generations to educate themselves. Who knows,
18 maybe that little girl who started that waterskiing will
19 grow up to be the next Jacques Cousteau or Theodore
20 Roosevelt or Perry Raso. Who knows.

21 My sons have grown up safely skiing, tubing,
22 fishing, clamming on Segar Cove and now both of those
23 boys recreated and then educated themselves and now they,
24 too, work on the Rhode Island waterfront. They give back

1 to the community that they know and love. They recreated
2 first, which led them to a higher education about that
3 area, and now they themselves work. They give back to
4 the community, and they influence other people to
5 understand the wonders of our beautiful waters.

6 Recreation is education. It's plain, it's simple.
7 Take away our ability to safely use Segar Cove, it's
8 suppressing the future of all of our Rhode Island
9 residents to educate themselves. So I hope the community
10 thinks a bit more about what is really happening here.
11 It's not solely about the radius of a ski rope or the
12 percentage of the pond that Perry can access. This is
13 about the true nature of what it means to live in
14 Matunuk, and Rhode Island, and access waterways that
15 generations before us have had to access and that future
16 generations are really entitled to access.

17 So if you're sitting on the panel today and you
18 really haven't spent a summer in Segar Cove, you really
19 should. You'll get a firsthand education of why so many
20 people are testifying how special it is. And if you
21 haven't done that, you should, and you should actually
22 take a minute to understand why all of the residents are
23 defending this particular area. It's not about the
24 profit. It really is about the people.

1 So I'd like to leave you with a quote from a very
2 famous environmentalist and steward of natural world,
3 Theodore Roosevelt. So Theodore quotes:

4 "Here is our country. Cherish these natural
5 wonders. Cherish the natural resources. Cherish the
6 history and romance as a sacred heritage for your
7 children and your children's children. Do not let
8 selfish men or greedy interest skim your country of its
9 beauty, its riches or its romance."

10 So I am asking the panel today to really look at all
11 of the testimony and all of the wonderful people who have
12 enjoyed Segar Cove and know that it is a special place
13 and that it's worth spending a summer there.

14 Thank you.

15 CHAIRWOMAN CERVENKA: Thanks, Ms. Rollins.

16 MS. ROLLINS: Welcome.

17 CHAIRWOMAN CERVENKA: We have Cheryl Twiss.

18 MS. TWISS: Good morning, everyone. Is my
19 audio on?

20 CHAIRWOMAN CERVENKA: Perfect.

21 MS. TWISS: Thank you. I really would like to
22 extend my appreciation for this opportunity to speak to
23 the Coastal Resource Management Committee on behalf of
24 the expansion of the farm and on behalf of Perry Raso.

1 I listened this morning to very passionate pleas and
2 very heartfelt stories from a number of residents that
3 surround the pond and that have been long-time residents
4 and really appreciate the natural beauty, the ability to
5 have recreation in Rhode Island, and I can appreciate
6 their passion.

7 My perspective is going to be a little bit different
8 this morning than what you've heard so far.

9 First, allow me to explain. I am the vice-president
10 of sales for Newport Hospitality. Newport Hospitality is
11 a destination management company. Our role is to partner
12 with our hospitality industry, to bring events and
13 activities, particularly in the corporate market here to
14 Rhode Island. So my role in hospitality is the promotion
15 of Rhode Island, the passion for Rhode Island, the
16 resources, what we have, and Matunuck Oyster Farm and
17 Perry's passion for farming industry sets into that role.

18 I've known Perry professionally for probably over
19 ten years now. I'm a little surprised to hear the
20 objections based on the feeling of the residents that his
21 sole motivation is for profit and that it is to put money
22 in his pocket and that would be the only reason to expand
23 this farm. That has not been my experience at all. I'd
24 like to speak about Perry and the farm from several

1 different angles.

2 My experience with Perry has been as an
3 entrepreneur. He's been a tremendous ambassador
4 for Rhode Island and the fishing industry, and he's also
5 been a phenomenal educator, and so many of the clients
6 that I brought to Rhode Island have learned so much from
7 him.

8 So when you learn Perry's story, and he tells you
9 his story, he is a very humble plan, and he starts out
10 with his passion for quahogging and selling quahogs for
11 \$50 a bucket and going to school and learning about
12 aquaculture and then applying for a grant from the State
13 of Rhode Island to start this farming business, he always
14 tells the story that he never intended to get into the
15 restaurant business. He purchased the dock to be able to
16 farm.

17 So I really believe if you get to know him, and you
18 get to know his point of view and where he's coming from,
19 that is his core and that is his passion.

20 I have just been amazed at his entrepreneurship and
21 the way he has expanded and brought Rhode Island front
22 and center in the aquaculture and the oyster farming
23 industry through the barge tours, through education,
24 through the restaurant. It is a phenomenal restaurant in

1 Rhode Island, one of the best, and really speaks to the
2 things we all love - fresh local seafood, why that's
3 important, why it's important for him to employ people in
4 the farm, in the restaurant and throughout. It's just so
5 important.

6 And you all know that this year has particularly
7 devastated our industry and devastated the hospitality
8 industry due to the pandemic, so we really look forward
9 to the return of tourism and hospitality. And with that,
10 Perry has really been an ambassador for farming for Rhode
11 Island.

12 I've known many times where he's gone off to speak,
13 and he's gone off to speak in other countries. He's
14 brought in students and brought them out on the barge to
15 teach them about oyster farming. I brought clients out
16 on the barge, and the experience is so personal and
17 phenomenal. People that have the ability to travel all
18 over the world and experience all kinds of experiences
19 are truly in awe when he jumps off the barge and pulls up
20 the oysters and allows them to look, see, touch, feel and
21 really understand the importance of the farming.

22 I think by speaking, he really is an ambassador for
23 Rhode Island, and the education that he provides, that to
24 me has been the most important thing. I have never felt

1 that he has done these tours for profit. It's always
2 been about the education first, and we have always
3 incorporated an educational component before we even get
4 out to see the farm.

5 I think that is so important not only for Matunuk,
6 but also for the fishing industry which is very prominent
7 in Galilee and New Bedford. People don't realize the
8 amount of seafood that comes out of our local region, and
9 Perry is really responsible for promoting that.

10 So I really understand, I understand the passion of
11 the residents that want to continue. I know Perry will
12 ensure that everything is safe. My understanding is that
13 the Segar Cove area would only be about one percent the
14 pond area. There still seems like there could be a way
15 to have sufficient balance between the farm and between
16 recreational use of the residents.

17 I know I've been out there many times on tours
18 different days of the week, different times of the day.
19 It's always very pristine, always very quiet. His
20 employees are always very respectful while they are
21 farming and while they are working out there. I really
22 think that there can be a balance between the residents'
23 desires for recreational farming on a seasonal basis and
24 what Perry brings to the table as an entrepreneur, as an

1 ambassador, and as an educator for this industry.

2 I really appreciate the opportunity to speak today.
3 Thank you very much.

4 CHAIRWOMAN CERVENKA: Thank you, Ms. Twiss.
5 Tommy Lockwood is next.

6 MS. SPURLOCK: Mr. Lockwood, if are you there
7 could you please raise your hand.

8 [PAUSE]

9 MS. SPURLOCK: I don't see anyone on that list
10 for Tommy Lockwood, Madam Chair.

11 CHAIRWOMAN CERVENKA: Okay. William
12 DeMagistris. I mispronounced that before.

13 MS. SPURLOCK: William, if you are there could
14 you please raise your hand. I do not have him on my
15 attendees list, Madam Chair.

16 CHAIRWOMAN CERVENKA: There was someone last
17 time with the same last name, exact same name. It's
18 possible he has already spoken. So we move on to Ben
19 Wilkes.

20 MS. SPURLOCK: I have a Matthew Wilkes on the
21 attendees list. Could that be Ben? If it is, could you
22 please raise your hand. I don't think it's the same
23 person.

24 CHAIRWOMAN CERVENKA: Ed Wrobel.

1 MS. SPURLOCK: Thank you. Ed?

2 MR. WROBEL: Good morning. Can you hear me?

3 CHAIRWOMAN CERVENKA: We can.

4 MR. WROBEL: Thank you. First of all, thanks
5 for the opportunity to speak with everyone. To be
6 respectful of everyone's time, I'll keep my comments
7 brief. I recognize my comments will be repetitive, but I
8 do think it's important to register them to help the
9 Subcommittee understand how broad the concerns are.

10 For the record, I don't know any of the intervenors.
11 For that matter, I don't know any of those making public
12 comments. I developed these thoughts independently
13 before this all began, and it's just very clear that all
14 of our concerns are entirely consistent.

15 I live on Potters Pond, Peninsula Road. I'm not on
16 Segar Cove but on the adjacent cove. It's called Seaweed
17 Cove. I do use Segar Cove regularly. I consider myself
18 a direct observer, and my observations on the use of
19 Segar Cove are very much in line with that described by
20 the intervenors, described by the public comments that
21 you've heard so far. It is used very regularly by the
22 public and, frankly, is inconsistent with what Mr. Raso's
23 testimony was. It gets a lot of use.

24 It focuses on the point there again are only these

1 two areas with deep water navigable for powerboats, for
2 sailboats. I use it regularly myself and my family and
3 our friends for boating, skiing, tubing, paddle boarding,
4 swimming. And whether it's tubing, paddle boarding or
5 even just leisurely boating and hanging out, we often
6 find ourselves in that specific area of the proposed
7 farm.

8 If there are skiers and tubers in the center, you
9 need to stay out of the center of the cove. It's kind of
10 a safe place to be. Plus it's simply a pleasant area to
11 be to enjoy the scenery and wildlife and so forth.
12 Tubing and so forth, I tow my grandson in the tube. It's
13 the closest one. The third cove is often busy, the
14 northern cove as you've been hearing about.

15 From a practical standpoint, the proposed farm would
16 just make the use for towing sports impractical and I
17 agree, a potentially dangerous one. I heard earlier.
18 Again, I developed these thoughts on my own, and it's
19 very clear that many people share that same concern.

20 With having a nine-year-old grandson, I'm going to
21 be very reluctant to use that cove. The first time a
22 child or a teenager or an adult for that matter falls off
23 a tube and falls into the apparatus, it's going to be
24 really unfortunate.

1 I think, again, from a practical standpoint the
2 analysis concluded one less skier is the only impact. I
3 don't think that is accurate. Again, for those who are
4 concerned about safety, it really effectively eliminates
5 the use of that cove. Some will use it, but with
6 increased risk is what the issue is.

7 I also want to emphasize the entrance to the cove,
8 it is relatively narrow. It will have work boats, not
9 just the farm itself, but work boats coming and going.
10 So that will have an impact on the cove as well.

11 Like so many others, I'm supportive of Perry's
12 restaurant, of his current operation. We support the
13 local business. I appreciate you've got a difficult job
14 deciding on the balance. There's been a lot of
15 discussion about balance, and there's a requirement for
16 balance. So I just suggest that with the existing
17 seven-acre farm that's there and the associated work, we
18 have some level of balance now. And expanding that, the
19 addition of this new farm, would decidedly tip the
20 balance in favor of one individual at the expense of the
21 public.

22 So I strongly oppose the expansion. I urge this
23 body to reject the proposal, and I do thank you for
24 taking the time. I appreciate it.

1 CHAIRWOMAN CERVENKA: Thank you, Mr. Wrobel.
2 It's 11:31, and I said that we would take a ten-minute
3 break about halfway through. So before we do that, I
4 notice in the chat that someone had asked about
5 submitting comment other than through the chat feature.

6 Correct me if I'm wrong, Mr. Willis, but can this
7 individual or anyone else who's on today submit written
8 comment and e-mail it to the agency?

9 MR. WILLIS: Yes, that's correct, Madam Chair.

10 CHAIRWOMAN CERVENKA: Okay. That should be
11 today, correct?

12 MR. WILLIS: As soon as possible, that's
13 correct.

14 CHAIRWOMAN CERVENKA: Okay. Can you just, for
15 the benefit of the attendees, tell them what that e-mail
16 address is?

17 MR. WILLIS: Sure. The quickest one would be
18 Cstaff1@CRMC.RI.gov.

19 CHAIRWOMAN CERVENKA: Thank you. Okay, so it's
20 11:32. Let's just plan to come back at 11:45. I'd ask
21 everyone just to mute, turn off their cameras, but don't
22 sign off because I want to be able to pick back up fairly
23 quickly. Thank you.

24 [RECESS WAS TAKEN OFF THE RECORD FROM 11:35 TO 11:46]

1 CHAIRWOMAN CERVENKA: I think we can start up
2 again. Back on the record at 11:46. The next person on
3 our list is Denise DiMagistris.

4 MS. SPURLOCK: Madam Chair, there's Tommy
5 Lockwood. He had noted in the chat that he is now
6 available. He was having trouble getting on.

7 CHAIRWOMAN CERVENKA: All right. Is there also
8 a Denise DiMagistris, or is that the same thing with
9 William?

10 MS. SPURLOCK: I think it would be the same
11 with William because I don't see anybody on the
12 attendee's list with that name, first or last.

13 CHAIRWOMAN CERVENKA: If there is a Denise out
14 there with that same last name, you can raise your hand.
15 First we'll take Tommy Lockwood. Hi, Mr. Lockwood.

16 MR. LOCKWOOD: How are you guys?

17 CHAIRWOMAN CERVENKA: Good. Go ahead.

18 MR. LOCKWOOD: I recognize a lot of you from
19 dealing with my marina across the street from Perry, so
20 I'm pretty familiar with the way CRMC respects the
21 environment, and I know that Mr. Raso feels the same way.

22 I live on Matunuck pond. There is no other person
23 whose eyesight sees his current farm better than me. I
24 am directly there. I have three neighbors that are in

1 the same predicament as me, but we are truly the people
2 that are closest to the current farm.

3 The farm is 100 percent not a safety concern, so you
4 have to take that off the table. Nobody is falling off a
5 jet ski and hurting themselves because of the farm.
6 Nobody is falling off a kayak or a paddle board, and the
7 farm is actually doing damage to them. That's absurd.
8 The farm itself, the apparatus used, they are safe.
9 There's no question about that. If people are concerned
10 about the location of the farm, or other avenues, you can
11 address that. But safety is absolutely not one. That
12 should not be a concern at all.

13 The issue is envy. Very simple. Not in my
14 backyard. People don't want that for that reason, and
15 that's wrong. It is in my backyard, and it's a beautiful
16 thing. It's soothing. It's a nice piece of the pond.
17 You know, I've been here a long time. People on Potters
18 Pond, we have had algae blooms in the past 15 years and
19 there are a lot of septic systems on Potters Pond that are not
20 up to date. There's a lot that are not the new bottom of
21 the sand filter systems which you guys recommend. So
22 there's a lot of old septic systems and a lot of old 55-gallon
23 drums on some of these houses that leads directly into
24 the pond, and that's a big problem. We see that algae

1 bloom. But since Perry's farm it's lessened.

2 Now, in the last few years since he has grown, it's
3 lessened even more. We virtually don't get that same
4 level of algae bloom that we used to. Now, oysters are
5 filter feeders. There is huge benefits to that. But
6 unless you're sitting on your deck like I am looking out
7 into the water, maybe you don't realize it quite as much,
8 but those oysters are doing a great service to our pond
9 so we definitely want to keep these.

10 I agree with some the other comments that it can get
11 to a point where it's invasive and takes over the pond,
12 and I agree with that. But the small percentages that
13 we're talking about here are minimal in scope. It
14 doesn't affect anything. I just personally, more than
15 anyone else you will talk to in that particular cove,
16 it's a straight shot from our house. We go every day.
17 Paddle board, kayaks, more than anyone. I know that and
18 I can say that confidently because we are in that cove
19 every single day.

20 Where the farm is proposed is a great spot, and the
21 engineers that designed that did a good job because it is
22 out of the way. That portion of that particular cove
23 does not get a lot of use. It's over near the corner.
24 There's actually, well, I want to say probably six or

1 seven eel traps and -- traps that have buoys that have
2 been over in that section for years. So a lot of the jet
3 skiers and when we go waterskiing and watercrafts, a lot
4 of those people stayed away from that side anyway. You
5 can still fit one group of boats on the top end, one
6 group of boats down the north end. You can still do
7 that, and it doesn't cause a big problem. It really
8 doesn't. So you have to understand that.

9 The main issue here is location, and they did a
10 great job. So I can't -- I would hope that you would
11 vote clearly in favor of it. It helps local business. I
12 mean, as a taxpayer I want to see that tax revenue stay
13 there, that tax base stay there. Mr. Raso did a great
14 job in learning as much about oysters as anybody possibly
15 could, and he shouldn't be punished by being able not to
16 expand because of some people that don't understand the
17 concept of actually what's going on.

18 Everyone has the same opportunity. Anybody can go
19 out and get a lease, or try to get a lease, try to get
20 the growing potential, be an oyster farmer. That's open
21 to all of us as Rhode Island citizens. We all have that
22 right. We can take all the necessary steps. Now, it's
23 not an easy road, and there's a lot of education that
24 went into it, but for Mr. Raso to get to where he has, he

1 shouldn't be punished at all.

2 I mean, the ability for him to expand does all good
3 things. There are no negative influences here at all.
4 The main thing again is you have to be very clear of the
5 safety issue because there is not one. You have to be
6 clear on the importance of keeping a local food source
7 from Rhode Island here. That's very important for us,
8 and we need to have that and we need to keep that
9 sustainability, and Mr. Raso just does a fantastic job so
10 there's only positive comments here. That's all I can
11 say.

12 Thank you very much for your time. I appreciate it.

13 CHAIRWOMAN CERVENKA: Thank you, Mr. Lockwood.
14 Brittany, did we determine that there is no Denise
15 DiMagistris?

16 MS. SPURLOCK: I've been looking for her on
17 that list, Madam Chair, and I still do not see her.

18 CHAIRWOMAN CERVENKA: Okay. Next we will have
19 Phil Capaldi.

20 MR. CAPALDI: My name is Phil Capaldi, and I
21 live at 15 Baneberry Trail in Saunderstown, Rhode Island.
22 My objection to the lease is not one of nepotism. The
23 same arguments come up all the time regarding aquaculture
24 lease and its social carrying capacity. I am not a

1 tuber. I'm not a waterskier, I am a non-riparian right
2 land owner. I am a recreational fin fisherman. My
3 recreational use in Segar Cove I cannot prove. I fish at
4 dawn and dusk, not at high noon. I have never seen the
5 applicant on the water, but I do believe that he uses the
6 pond. His footprints are clearly visible. Mine are not.

7 The lease space in Segar Cove, if developed, will be
8 gone forever. It's not a simple money -- pot or a --
9 trap. It will be gone for recreational use forever.

10 Did Mr. Rheault turn in his aquaculture lease? No.
11 He sold the lease. Has any lease in Rhode Island been
12 returned to public use? No. This acreage in Segar Cove
13 will be gone. A lease is for 15 years. There's only one
14 time to object when the public discovers that a lease
15 application has been applied for. The onus is on the
16 public. Once an area of state submerged land is
17 developed, it will never return to public use. I'm not
18 allowed in the process to object to a renewal or a sale.
19 The public, the non-riparian right public, the
20 non-represented by a lawyer public objects to this lease.

21 Let's talk about the regulations. Section 1.3.5 in
22 the CRMC Red Book, general policies Number 1: "The
23 primary goal of all Council efforts is to preserve and
24 where ever possible restore the scenic value of the

1 coastal region." That's your charge.

2 The Marine Fisheries Advisory Panel ended in a tie
3 regarding the proposal. Dave Monte eloquently said it
4 conflicted with fin fishing. That's in the regulations.
5 That's not sentimental value. That is in the
6 regulations.

7 I was at that meeting. I was at many of the
8 meetings since 2017 in person. This acreage is used by
9 recreational fin fishermen. It's not shifting feet and
10 inches. It's the entire lease. There's the letter
11 speaking for this in the file. I'm hoping you looked
12 exactly at the file. I'm not sure what is the E packet.
13 A hooded hooked fish won't stay in the lane as a
14 suggested boater would have to do to navigate the lease.
15 I know from experience, no one in their right mind goes
16 anywhere near an aquaculture lease because it's out of
17 respect to the grower. They don't know if they are there
18 trying to steal oysters. So everybody steers clear of
19 that.

20 That space will be gone forever. The South
21 Kingstown waterfront panel have reservations. The
22 applicant laments the fact that he wasn't made aware of
23 that meeting. Were the coastal homeowners invited to
24 inspect the aquaculture seat on site when the applicant

1 placed it? Were they invited to go to place the buoys
2 with Mr. Beutel and Mr. Raso, or to do the shellfish
3 sample with Mr. Beutel and Mr. Raso? The answer is no.

4 Segar Cove was buoyed off and claimed and sealed as
5 a done deal between a friendship well-documented over
6 their careers. When the public did see the potential
7 lease, they responded in opposition through the same
8 process that CRMC outlines.

9 Back to the regulations. Recreational use and
10 scenic beauty have monetary value that far exceeds the
11 money generated by state aquaculture. Recreational use
12 and scenic beauty.

13 URI puts the revenue from 2016 at \$311 million. If
14 the governor would give pause to that fact, she would
15 understand and she has shown that recreational use and
16 scenic beauty are a key element to the green economy.
17 The applicant's donations to date, \$4,450 to
18 Ms. Raimondo, places CRMC in the middle for sure. And
19 remember, this space will be gone forever.

20 If I wanted to, I would happily purchase a
21 three-acre lease for the amount of an application, but
22 you can't do that because you have to use it. There are
23 people in Ninigret Pond and Snug Harbor Marina, they
24 tried to do that for Ninigret, buy the land and not use

1 it. You can't do it. That's in the regulations.

2 Okay. Category B requirements. 1E, that has to
3 deal with land of critical concern. This property, the
4 property that's directly east of the proposed site, is
5 classified as a land of critical concern. This lease, if
6 allowed to develop, will go from minimal disturbance to
7 constant disturbance. As stated from the hours, even
8 people were at the lease yesterday in the winter, so it's
9 all seasons.

10 The landowner is under restrictions, the people that
11 own the property that abut the land of critical concern.
12 But now is there an exception to the aquaculture lease,
13 an exception to the CRMC's rules?

14 1G and 1H. None of the expert witnesses were asked
15 about the sediments that fall directly beneath the site
16 of these water cleaners or a habitat that may be
17 negatively impacted by shellfish feces. Oysters are
18 livestock. They do shit in the water. There's no
19 question in 1K that the floating gear and daily activity
20 will result in substantial adverse scenic impact.

21 And finally, the high temperature threshold and low
22 oxygen level content during the summer months make Segar
23 Cove non-conducive for bay scallops. He tried it once.
24 It didn't work. It's been on the decline since 1970.

1 What will happen to Segar Cove if this will become
2 Mr. Raso's deep water winter storage site for the
3 existing lease? He loses oysters when there's harsh
4 winters. A deep water site helps mitigate this.
5 Let's call it what it is. Okay?

6 Finally, perhaps instead of developing the shared
7 space so close to a land of critical concern, and that's
8 designated by CRMC, the applicant could help preserve
9 this amazing natural space for recreational use.

10 Think of the positive PR that Segar Cove
11 conservation area brought to you by Matunuck Oyster Bar
12 and its native son, Perry Raso.

13 I have objected to this lease since I first saw it.
14 I'm eight minutes in. I no longer go to the Matunuck
15 Oyster Bar, and I discourage as many people as I can not
16 to go. Thank you.

17 CHAIRWOMAN CERVENKA: Thank you, Mr. Capaldi.
18 Janice Loiselle. Janice, can you hear us? Can you turn
19 your video on. If you're having problems connecting, can
20 you indicate that in the chat function.

21 [PAUSE]

22 CHAIRWOMAN CERVENKA: I think we're going to
23 pass over Janice Loiselle for the moment because it
24 appears that she's having some computer problems. So

1 we'll come back to you, Janice, before we conclude.

2 MS. SPURLOCK: It looks like she's going to try
3 another computer. She's having trouble.

4 CHAIRWOMAN CERVENKA: But I don't want to wait
5 for that. We can come back to her. Let's go to Karl
6 Wadenstein.

7 MS. SPURLOCK: Karl, if you are there, could
8 you please raise your hand.

9 [PAUSE]

10 MS. SPURLOCK: I don't have anybody raising
11 their hand, Madam Chair.

12 CHAIRWOMAN CERVENKA: What about Tom Cerio?
13 Mr. Cerio?

14 MR. CERIO: Hello. Am I on?

15 CHAIRWOMAN CERVENKA: You are. You're on. We
16 can see you and we can hear you.

17 MR. CERIO: Wonderful. I am Tom Cerio. I live
18 at 95 Old Succotash Road since 2004. I'm a huge fan of
19 Perry Rasso and enjoy his restaurant a great deal. He
20 has been a great neighbor for a long, long time.

21 For me, I'm very much in favor of a scallop farm.
22 You know, more farming on the pond for me is much better
23 than more jet skis, more powerboats. You know, it's
24 great that everybody can have fun with their jet skis and

1 tubing. It's terrific. But sitting right at the mouth
2 of looking at it, Chaplin Cove, it's like a runway
3 through here in the summertime. Jet skis are flying by,
4 boats are flying by. For me, you know, less is more in
5 that regard. I don't think we need more jet skis. I
6 don't think we need more powerboats. I just much prefer
7 more sustainable farming. I think that brings tremendous
8 value to our community and to the people on the pond.

9 I get people. I get it that people want to go out
10 and enjoy the pond and zoom around, but it just doesn't
11 make sense to me. You know, what makes sense to me is
12 more farming, you know. And the fact is Perry is in
13 compliance. I find him to be very responsible. We've
14 been talking about this for years. I also own property
15 on Ninigret Pond, and I watched the farmers develop that
16 and it's been absolutely wonderful for the home on that
17 pond. It's right on the pond. So for me, it's very,
18 very simple. You know, less noise pollution, less water
19 pollution, less air pollution is a good thing. And more
20 farming and oysters and scallops, you know, I think
21 really, really benefits us as a community big time. So
22 to me it's very, very simple.

23 Perry is in compliance, you know, and I think he's
24 done a lot of due diligence on the positioning of that,

1 of the expansion.

2 That's for me. That's it in a nutshell. I'm more
3 of a conservation.

4 CHAIRWOMAN CERVENKA: Thank you, Mr. Cerio.

5 MR. CERIO: You're welcome.

6 CHAIRWOMAN CERVENKA: We have Josephine
7 Scrofani.

8 MS. SCROFANI: Hi. Can you hear me?

9 CHAIRWOMAN CERVENKA: Yes, I can hear you.

10 MS. SCROFANI: Great. Hi, everyone. Thank you
11 for allowing me to join you today and to speak.

12 My name is Josephine Scrofani. I live in East
13 Matunuk in the Island View neighborhood located across
14 the street from the Matunuck Oyster Bar. Although my
15 family and I only lived in this house for six years,
16 we've been coming to the area, having boats at the
17 Bellevue Yachting Center for over 20 years.

18 I'm here to speak on behalf of Perry Raso and to ask
19 that you approve his application for the three-acre
20 aquaculture site in Segar Cove. Many have joined these
21 meetings both in support and against Perry's application.
22 For those against the application, they have shared very
23 personal stories of fond memories they and their families
24 have had in Segar Cove, and they have expressed fear

1 regarding the potential risk of having the farm approved.

2 I have joined you today to share both my personal
3 perspective regarding the farm and to also stress the
4 importance of the farm to our community. I want to
5 emphasize three key points which will hopefully stress
6 both the art and the science of this decision, and many
7 people have talked about that balance already today.

8 My three points are, the realization of knowing that
9 we can have the oyster farm and still have places to
10 enjoy recreational activities; the importance of being
11 able to grow our own food; and the advantage of fighting
12 for Rhode Island businesses, especially businesses like
13 the Matunuck Oyster Bar which continuously contributes to
14 our community here in Rhode Island and globally.

15 With respect to my first point, knowing we can have
16 both the three-acre farm and a place to enjoy
17 recreational activities, it's important to consider where
18 the new farm is located on the pond and to know the other
19 areas frequently used for recreational activities.

20 When Perry initially told me about the new farm, I
21 wasn't sure exactly where it would be located. Perry
22 kindly offered to take me on a tour of the new site so
23 that I could see its size and where it was located. He
24 shared that the proposed farm would only be one percent

1 of the pond, bringing the total amount of aquaculture
2 pond, or aquaculture site, to three percent of the pond.

3 As I mentioned earlier, my family and I live on the
4 pond. We have spent many, many hours fishing, boating,
5 paddle boarding, kayaking, clamming, swimming, tubing,
6 both in Potter Pond and the Salt Pond. We are blessed to
7 have beautiful ponds in our areas and to have multiple
8 locations for recreational activities.

9 As my son grew up on the water, he's now 17, my
10 husband and I have always stressed the importance of
11 being aware of the surroundings, including fish traps,
12 lobster pots, debris, and of respecting the water which
13 we have grown to love.

14 The fears that many families have shared are real,
15 but they should not be increased by this farm. That's
16 really important to stress. I know somebody else
17 mentioned that earlier as well.

18 My second point is regarding the importance of
19 growing our own food. A demand for seafood continues to
20 rise. In order to meet the demand, we must now begin to
21 grow our own food. Our world and data reports that the
22 world now produces more seafood from fish farms than wild
23 catch. Perry talked about this in a Ted Talk that he
24 presented back in May of 2016 entitled The Importance Of

1 Sustainable Aquaculture in our Future.

2 Aquaculture has absorbed almost all the growth and
3 global demand in recent decades and will continue to play
4 a critical role in protecting wild fish populations as
5 the demand for seafood continues to rise. It's important
6 that we allow our farmers to grow our food here in Rhode
7 Island.

8 My third and last point is most personal to me, and
9 definitely talks to the reason why this application
10 should be approved.

11 My family and I are lucky to live across the street
12 from the Oyster Bar. It has become our favorite
13 restaurant, a place where we go to enjoy time with our
14 friends and family and to enjoy wonderful fresh seafood.
15 My parents live in New York, and whenever they come to
16 visit we must go to the Oyster Bar so my dad can enjoy
17 the raw bar, something that has become so common for us
18 in Rhode Island, but something that is so special to him
19 and many others that visit the restaurant from so many
20 other locations.

21 This year with the Covid pandemic the Oyster Bar
22 became even more special to us. My husband has had two
23 kidney transplants, his first one over 35 years ago, and
24 he must take anti-rejection medications every day of his

1 life. This illness has obviously made him very
2 susceptible to the Covid virus and has thereby required
3 us to quarantine since March.

4 The Oyster Bar was our lifeline through Covid,
5 especially in the spring of 2020 as we were able to
6 purchase groceries like milk and eggs and bread and even
7 masks so that we didn't have to go to any of the grocery
8 stores in the area. The Oyster Bar has also been the
9 only restaurant that we have physically gone to eat to in
10 eight months.

11 We always remember how Perry did what he needed to
12 do for his customers and his community to keep us safe.
13 This is one of the many examples of Perry's community
14 support. Every year he donates lunch of clam chowder and
15 fresh shucked oysters to the participants of the URI
16 International Nonviolence Summer Institute. In recent
17 years he went back to Africa to work to help shellfish
18 farmers to improve their fishing techniques. He teaches,
19 he talks through the local tours, and many have mentioned
20 that already, and does various presentations about
21 farming and its importance and so much more.

22 The Matunuck Oyster Bar employs over 200 people and
23 brings thousands of tourists to our state. Many say that
24 Perry already has a wonderful business. Why expand and

1 why allow him to have more? Some even say or have said
2 that he is the only one that will benefit from this farm.
3 And that cannot be further from the truth.

4 I hope my comments help to emphasize the importance
5 of finding the balance, the balance between the art and
6 the science, and help you to approve the application for
7 the new farm.

8 Thank you again for allowing me to join today.

9 CHAIRWOMAN CERVENKA: Thank you. Paul Hooper
10 is next.

11 MR. HOOPER: Can you see me?

12 CHAIRWOMAN CERVENKA: Yes, I can see your
13 shadow sort of.

14 MR. HOOPER: All right.

15 CHAIRWOMAN CERVENKA: I can hear you fine.

16 MR. HOOPER: Okay.

17 CHAIRWOMAN CERVENKA: We can sort of see you.

18 MR. HOOPER: It's probably better off that you
19 don't see me. My name is Paul Hooper. We lived on
20 Potters Pond and the area for 50 years now. We had two
21 boys grew up eeling, enjoying the back pond. We have
22 many boats. One is parked up in the back access to the
23 northern pond. We were there pretty much every day. We
24 see it all.

1 We also own a property right across from the marina.
2 We have visual access of every boat that comes in and out
3 of Potter Pond.

4 You know, first I'd like to say I appreciate what
5 you guys have taken the time to really take a look at
6 this because it is an important issue. I've always
7 considered the CRMC the stewards of the waterfront,
8 meaning you don't do anything without their approval.

9 I just couldn't help myself, but I went to your
10 website and in the time bar your mission statement is
11 basically, the regulatory body to preserve, protect,
12 develop, restore coastal resources for all Rhode
13 Islanders. Let me say that again. All. Not one. All.

14 You know, that says a lot. You guys are the
15 regulatory commission that kind of keeps people in check.
16 And, you know, without you there would be docks going in
17 everywhere. People would be doing what they want.
18 You're kind of the police of the waterfront.

19 Mr. Capaldi, I hate to say it, but he stole a lot of
20 my thunder. He was eloquent in his speech. Like him,
21 I'm a fin fisherman, and Mr. Raso won't see me at noon
22 because I won't be there at noon. I will see Mr. Capaldi
23 at 7:00 a.m. because striped bass are light sensitive and
24 you can't catch them in the middle of the day.

1 I went to school in the eastern shore of Maryland
2 and I'm also an avid crabber. I love to go trot lining.
3 One of the problems with trot lining from blue claw crabs
4 is you have to have some deep water. That's really the
5 question here. There's only two place in Potters Pond
6 with deep water. It's a glacial remain. It's what the
7 glacier left, they dug a hole. And the deep water is
8 very finite.

9 One of the things I have to question Mr. Beutel, he
10 said that there's not many people from Point Judith Pond
11 that go underneath the bridge. Well, I'm the gate keeper
12 of Potters Pond. You can't get into Potters Pond from
13 Point Judith Pond without going past my house. I would
14 say 80 percent of all boats going in there, that Potters
15 Pond is the area that you can ski, tube. So I would say
16 80 percent of those people that go past my house have a
17 tow rope.

18 There's only two places to go, northern pond and
19 southern pond. In those ponds it's not just other people
20 skiing. There's docks, there's people having fun,
21 there's other boats, there's jet skis. They call it the
22 Ocean State. We should be able to recreate. I think
23 that a lot of the boats from Point Judith Pond go to
24 Potters Pond because they are being squeezed out of Point

1 Judith Pond. If you go over to Ram Island, I was
2 researching little places to go for blue claw crabs, and
3 I've never been around Ram Island, but I see these signs
4 go up, No Trespassing, Keep Out of the Water. And I
5 understand that. That's their livelihood. But it's a
6 denial of the freedom of commons for all Rhode Islanders
7 and out-of-staters.

8 I listened to all the testimony and I read the staff
9 report. And when these people go up and ski, this isn't
10 a rotary that everybody is going around to the left.
11 This is chaos. People are looking for ways. And then
12 you've got boats, you've got docks, you've got jet skis.
13 It changes fast. I mean, you got people whipping their
14 heads around. If someone falls off into the water, one
15 lady said she taught her kids how to splash the water.
16 That's the truth. So, I mean, it's a pile of spaghetti.
17 It may start off everybody going one way like a race
18 truck, but it doesn't. You are all over the road. It's
19 really crazy.

20 You know, I see it as Mr. Capaldi eloquently spoke,
21 as a denial of an area that will never come back. One of
22 the things I just scratch my head and I'll quadruple the
23 \$150 for a half acre a year to keep it open and free. I
24 mean, it's a give away program. I mean, I, I don't

1 understand. I asked other people what they thought of
2 the rent. Some said \$10,000 to \$15,000 per acre. I am a
3 fisherman. I fish the cinder worm hatch. It happens
4 different places in May. It's an incredible site. You
5 have these worms reproducing.

6 In the winter I still have a skiff in the water. We
7 call it dredging for striped bass. I fish all the time.
8 In fact, I was back there the other day in Segar Cove
9 fishing for stripers. There would be a place that would
10 be denied and I would never get another chance. I used
11 to fish down in the southern flats. We used to fish for
12 striped bass. That's gone. You can't do that anymore.
13 Take it off the list. It was something that was taken
14 away from us. I think it's a denial of a location. I'd
15 love to continue to trot line for blue claw crabs there,
16 but that would be denied to me forever.

17 I think the South Kingstown Waterfront Council voted
18 five zip against this, but they are independent. They
19 mentioned in a letter to you folks that it proposed
20 significant negative impact. These people don't have
21 anything to grind in this thing. They are independent.
22 That's what they said. I believe Mr. Rice voted on the
23 Fisheries Council who was one of the applicant's
24 witnesses. If he wasn't on that Council, it would have

1 been three to two against. Otherwise, it was a 3/3 vote.

2 You know, I don't know, I just feel that when I was
3 a kid -- and I'm going to leave you with this one, and I
4 appreciate the time today. When I was in third grade, I
5 had a very environmental teacher, and she used to play
6 Joni Mitchell song. This is going to take some of you
7 guys back. It was called Big Yellow Taxi. She said,
8 don't pave paradise and put up a parking lot. The more
9 these farms go in, more paving of the parking lot, and
10 it's going to be done.

11 I challenge the Committee to reject this application
12 and to leave the freedom of the commons for all.

13 I appreciate your time today and it's going to be an
14 interesting outcome. I'm going to continue to watch and
15 listen to see what the Subcouncil recommends in the way
16 of what is right for all. Okay. Thank you guys. Take
17 care.

18 CHAIRWOMAN CERVENKA: Thank you, Mr. Hooper.
19 All right. Can we go back and try Ms. Loiselles again?

20 MS. SPURLOCK: Janice, can you press star 9 to
21 raise your hand if you're using a telephone. Thank you.

22 MS. LOISELLE: Thank you very much for this
23 opportunity, and I guess someone had to do it by
24 telephone first. Can you hear me?

1 CHAIRWOMAN CERVENKA: We can.

2 MS. LOISELLE: Okay, great. Thank you very
3 much.

4 My name is Janice Loiselles, and my husband and I own
5 a home with two of his siblings on Peninsula Road. We
6 have owned this house for over 36 years. Contrary to
7 Mr. Beutel's comments, we are not people that live out of
8 state all our lives while we've utilized the state's
9 resources.

10 All three families have spent a preponderance of
11 their lives in Rhode Island, worked there, raised our
12 families there and enjoyed the activities on the pond,
13 mostly in Segar Cove. Several of us, however, have
14 out-of-state residences and addresses because we have
15 decided we no longer want to worry about snowblowers and
16 driving in the snow in Rhode Island. But we continue to
17 enjoy utilizing our marine resources, particularly tubing
18 and waterskiing, with the younger children in the deep
19 water cove.

20 As you are all obviously committed to the coastal
21 resources of this state, I am assuming you like or have a
22 history of being out on the water, whether it be on
23 paddle boards, canoe, motorboat or other vehicle. I ask
24 you to look back to your boating experiences. Early

1 morning when the air is crisp, mid morning as it gets
2 warmer, or mid-afternoon when you take the children or
3 friends out for a ride to cool off. But as you look
4 back, can you honestly remember a time when you were out
5 on the water at noon, actually on the water at noon? And
6 then you might ask yourself why Perry chose that time to
7 take his pictures.

8 I would hope that through this process you have
9 taken time to go look at Perry's current operation. Your
10 CRMC depiction shows his oyster farm as a brown blotch in
11 the blue water. In fact, it is a big dark black area as
12 you look out at it. One of the first questions we get
13 from first-time visitors is, "What is that huge black
14 area in the water?"

15 It started out not visible, below the water, and was
16 easily navigable. Now it's unsightly, almost not
17 navigable and very noticeable. But we have been good
18 neighbors.

19 Finally, Rhode Island is popular for the ability to
20 get outside and enjoy our recreational waterways. They
21 should be available for all, and we have been doing this
22 for years. But you are considering to basically shut off
23 or deeply deplete the usage of one of our state's deep
24 waterways that benefits so many people for the benefit of

1 one business owner.

2 I'd like to ask you to take these points into
3 consideration and deny this application. Thank you.

4 CHAIRWOMAN CERVENKA: Thank you, Ms. Loiselle.
5 Moving on to Steven Quigley.

6 MR. QUIGLEY: Can you hear me?

7 CHAIRWOMAN CERVENKA: We can hear you, not see
8 you.

9 MR. QUIGLEY: Well, is it all right if I just
10 speak?

11 CHAIRWOMAN CERVENKA: Yes.

12 MR. QUIGLEY: Thank you very much. Good
13 afternoon. My name is Stephen Quigley. I and my wife
14 Alicia Cooney own 95 Segar Cove that we purchased
15 15 years ago. We bought the property not only for the
16 easy use of the cove for our children and extended
17 family, but also as our retirement home.

18 Over the last ten years we have enjoyed the quiet
19 and pastoral views that we see from our open windows in
20 the bedroom and dining room. During the summer months we
21 have seen a steady increase of people and families
22 waterskiing, using jet skis, kayaking, paddle boarding,
23 clamming, and rafting in this area that is directly in
24 front of our house and along Ram's shoreline.

1 I am here to oppose giving permission for another
2 oyster farm to be located in Potter Pond by Perry Raso.
3 I concur with the testimony from the Newport Hospitality
4 executive that fostering tourism in Rhode Island is
5 important, and I know from the busy crowds and the long
6 lines at Matunuck Oyster Bar over the years that Perry's
7 restaurant contributes to our state's tourism.

8 However, the Subcommittee needs to ask whether this
9 additional farm actually will contribute to Rhode Island
10 tourism. As we now know from his website that he appears
11 to be wholesaling his oysters and selling his seafood
12 online to be shipped nationally. What does that do for
13 local tourism? Or is it about business? Ms. Twiss
14 mentioned balance, and Mr. Raso's proposed expansion is
15 not about balance. It's about more and more business for
16 him.

17 Speaking as a senior citizen, the present location
18 of our dock has become increasingly difficult for my wife
19 and me to access as well as some of our friends. There
20 are more than 50 steps to descend to our dock. You must
21 carry up and down these 50 steps the gasoline for boat,
22 kayak, life jackets, rafts, paddle board, depth finder
23 and paddles. Usually, to get all these objects to and
24 from the dock there are multiple trips that must be made.

1 For the past four years, we have been looking to
2 relocate our present dock. The location that Ms. Noonan
3 so carefully pointed out to you is already being affected
4 by Mr. Raso's operation to the original site of the dock
5 before it was moved to the early 1990s. This new
6 location would afford us easier accessibility to the
7 water since there is a less steep slope on the hill, and
8 I estimate that there would be less than ten steps to get
9 to our new dock following the original path.

10 If Mr. Raso's application is granted and the oyster
11 farm is shoe horned into the designated space by this
12 Committee, the location of a new dock for our access to
13 the pond would no longer be an option since open water
14 access would be denied.

15 In addition, Mr. Raso would place his industrial
16 operation less than 250 feet from our house with all the
17 noise from the equipment being used, the workers
18 communicating over the noise of any machinery and
19 equipment, and the comings and goings of work barges as
20 such operation requires.

21 Mr. Raso has been very non-committal about his hours
22 of operation when he testified before this Board and only
23 said that this farm will be worked daily starting no
24 later than 8 a.m. and would continue for several hours

1 thereafter. Does that mean you could start at 6:30 in
2 the morning and continue, as -- testified
3 working until midnight using until bright lights and
4 equipment?

5 Conversation carries very well over water. Last
6 summer I could hear clearly the conversation of people
7 anchored at Rams head about 750 feet from our house as
8 they were clamming. While the noise from the oyster farm
9 operation would affect us in the house directly, many
10 other homeowners at adjacent shores along the cove would
11 also be effected since noise travels faster over water.

12 You may consider these objections to be singular,
13 but these objections are more than just my concerns as
14 this industrial complex spanning three acres will deprive
15 not only my family, but many others that use Segar Cove.

16 According to Mr. Raso's lawyer, there will be a
17 50 percent reduction in the amount of people being able
18 to use the steep water part of Segar Cove. I will not go
19 into the safety issues of towing a raft with children on
20 it. They have already been raised. Suffice it to say, I
21 concur with Mr. Raso and his witnesses that this complex
22 could pose a high danger of injury to those children and
23 adults recreating near this area. Even -- will be
24 hindered. If there is a strong wind from the west, my

1 wife and I must be less than 25 feet from the shoreline
2 when heading back to our house to get home.

3 Lastly, if this project is approved, a warning by
4 your Board of possible lethal harm must be communicated
5 to the other hundreds of parents of young children who
6 use this area.

7 Please do not overlook the rights of hundreds of
8 residents who access these tidal waters without
9 obstruction. Please do not overlook the many people who
10 use this cove for recreation, and especially their safety
11 as David Latham's interests that I have observed. Please
12 do not overlook the rights of residents of Lake Ave, the
13 point, and the other areas who are out on this part of
14 the cove in the summer. Please do not overlook the
15 people that use public landings on Water Street and Lake
16 Avenue to recreate on the cove. Please do not forget
17 about the people who quahog along this area of the pond
18 that take their young children rafting in this area.
19 Some of these activities would end forever with
20 Mr. Raso's operation.

21 Also, one asked the question, who will monitor that
22 this farm stays to three acres and not expand further
23 into the cove which would further diminish my family's
24 safety, the public safety, and the public's use of the

1 section of the cove? Dave Beutel has said that his staff
2 is limited and could not accurately monitor the
3 situation.

4 Mr. Raso has admitted that he exceeded the allowable
5 limit in his other farm by almost 30 percent. This begs
6 the question, shouldn't a businessman know how many
7 oyster traps he can place into one acre? Why was a
8 simple computation overlooked? Not for less than an
9 acre, but for almost three acres. How much damage was
10 done by Mr. Raso's major miscalculation to the pond, to
11 eel grass, to the national habitat, and the species? One
12 has to ask, where was the CRMC when this was happening?

13 Your Committee must decide the use of Segar Cove for
14 the one or the many and the implications that your
15 decision will have on the rest of the Potter Pond in the
16 northern basin, in the last safety water boating area.

17 In closing, if this metal trap farm is approved, I
18 humbly ask that you ask yourself this question. Why does
19 Potter Pond need another farm that is potentially lethal
20 to many water uses who mostly are children? One accident
21 would be one too many.

22 Thank you to the Committee for investing your time
23 and concern for our community.

24 CHAIRWOMAN CERVENKA: Thank you, Mr. Quigley.

1 We have Melissa Buonaiuto next.

2 MS. SPURLOCK: Melissa, if you are there could
3 you please raise your hand. I don't have a Melissa on
4 the attendee's list, Madam Chair.

5 CHAIRWOMAN CERVENKA: Okay. We'll move on to
6 Frank Mazza.

7 MS. SPURLOCK: Frank, if are you there could
8 you please raise your hand. I don't see any hands.
9 There's no Frank on the list.

10 CHAIRWOMAN CERVENKA: All right. We have
11 Garber Grossman.

12 MS. SPURLOCK: Mr. Grossman, if you're there
13 could you please raise your hand. I do not have anybody
14 by that name, Madam Chair.

15 CHAIRWOMAN CERVENKA: What about Robert
16 Appleby?

17 MS. SPURLOCK: Yes.

18 MR. APPLEBY: Good afternoon. Can you hear me?

19 CHAIRWOMAN CERVENKA: We can hear you and see
20 you.

21 MR. APPLEBY: Thank you. My name is Robert
22 Appleby. I thank you very, very much for the opportunity
23 to speak today.

24 My wife Susan Appleby and I own a home at 15 Howard

1 Circle which is actually on the western shore of Segar
2 Cove and directly opposite the entrance to the cove from
3 the rest of the pond.

4 I do speak today in opposition to the proposed
5 lease. I want to say at the outset that I do so
6 reluctantly. My wife and I never had the pleasure to
7 meet Mr. Raso, but we do deeply admire what he has built
8 in our area. We are absolutely huge fans of Matunuk
9 Oyster Bar, and I am personally a huge fan of the oysters
10 he farms in our pond.

11 We generally support what Mr. Raso is doing and have
12 absolutely no objection to the existing farm. Frankly,
13 we wouldn't have an objection to an expansion of that
14 farm if an appropriate site could be found. I agree with
15 the earlier comments that Mr. Raso is an ambassador for
16 Rhode Island. But the question before us today is not
17 whether -- what benefit Mr. Raso and his business
18 provides to Rhode Island, but really whether Segar Cove
19 is an appropriate site for expansion of his farm. And
20 unequivocally, we believe that it is not.

21 My wife and I have been coming to Potter Pond for
22 decades. My wife 's family actually owns property on
23 Potter Pond and has since 1950. My wife came to the pond
24 when she was an infant, and she brought me to the pond

1 when we met in college in the 1980s. We've been coming
2 year after year after year ever since then. We have
3 engaged in all sorts of recreational activities in the
4 pond including waterskiing, motorboating, tubing,
5 canoeing, kayaking. We've done it throughout the pond
6 both in the northern cove and Segar Cove.

7 A few years ago we were finally in a position
8 fortunate enough to be able to own our own home in Rhode
9 Island. We chose Potter Pond for that home and chose
10 Segar Cove for that home. We absolutely love the pond,
11 and our home overlooks, as I said, the entrance to the
12 cove from the rest of the pond and overlooks the proposed
13 site. So we have an expansive view of the activity that
14 occurs on that pond.

15 I am going to keep my comments focused on what we
16 observe as homeowners on the cove of the activity on the
17 water. And from our vantage point, the cove is
18 absolutely an inappropriate site for expansion of the
19 farm.

20 On any given day in the summer you'll see on the
21 cove motorboating, waterskiing, tubing, wake boarding.
22 In fact, many boats at the same time. Personal
23 watercraft jet skis became very popular just in the last
24 few years. We have seen an expansion of the activity in

1 jet skis.

2 In addition to the motor craft, we see sail boating.
3 I think in the earlier session someone talked about a
4 Beetle Cat. That Beetle Cat boat is frequently in our
5 cove almost on a daily basis and often sails right in
6 front of our home, and we enjoy that quite a lot,
7 watching that boat in front of our house. You also heard
8 a lot of Sunfish come in the cove to sail throughout the
9 cove. Kayaking, paddle boarding, clamming, there's a
10 boat that frequently clams in the area of the proposed
11 site along that shore. We see that frequently during the
12 summer months, fishing, and even occasionally I have seen
13 people swimming out there, which I think is much more
14 ambitious than I would undertake myself. It can get
15 quite busy on a summer afternoon, especially weekend
16 summer afternoons.

17 I do have a dock and a motorboat, a 19-foot
18 motorboat, and we do enjoy tubing out on the cove. But I
19 will freely confess, I am not the most experienced boater
20 and so it's usually my practice to wait until like 5:00
21 in the afternoon when things start to quiet down because
22 during the middle of the afternoon it can be quite busy
23 on the cove. So any suggestion that Segar Cove is
24 lightly used, either in an absence sense or relative to

1 the rest of the pond, is simply not correct. That is not
2 our experience, and it's quite the opposite.

3 In fact, as it's been said multiple times in this
4 hearing, there really are only two areas in Potter Pond
5 that can be used for substantial water recreational
6 activities, the northern cove and Segar Cove. Much of
7 the pond is profoundly shallow and really a navigation
8 way between the northern cove, Segar Cove, and the outlet
9 of the pond to Point Judith Pond. And taking those uses
10 away will have a dramatic detrimental effect to
11 recreational uses in the pond at large.

12 I also want to emphasize that the effect of the
13 proposed farm will not be limited simply to the impact on
14 towed water sports. It certainly -- there certainly will
15 be an effect on towed water sports, and I think the
16 testimony we heard during the hearing indicated that
17 where tube boats might be able to ski and tube at one
18 time now, it will be down to one boat. That's a
19 50 percent reduction in activity. Given the number of
20 boats we see in the cove, to go waterskiing or tubing,
21 that's a substantial reduction in the opportunities for
22 that type of activity in the pond at large. But from our
23 vantage point, in our home in Segar Cove, the effect of
24 reducing the water sheath or the area that's available

1 for waterskiing or tubing will have a cascading or domino
2 effect on all the activities that happen in the cove.

3 Right now we can watch the Beetle Cat sail right
4 before our house while another boat is tubing north of
5 that sailboat in the cove. Where the proposed lease is
6 intended to be established will drive that -- those
7 skiing boats, those tubing boats, into the area right
8 before our home where that sailboat is sailing. So that
9 opportunity for that combined use of the cove will start
10 to diminish. Kayakers will be forced away from the shore
11 to more into the center of the cove and will have a much
12 more difficult time avoiding boats using the cove for
13 skiing or tubing. So there will be a domino effect, a
14 cascading effect, that will substantially reduce the
15 overall activity in the cove. For that reason, we think
16 it's an inappropriate site to expand the proposed farm.

17 Finally, I just want to emphasize and echo what
18 Mr. Latham said earlier today. This is not simply a
19 concern of a few homeowners on the cove. The majority of
20 the boats we see use the cove actually come from outside
21 the cove. And many of those boats are boats that we only
22 see once or twice a year representing people who
23 occasionally come to Potter Pond, vacationers like my
24 wife and I were for many years before we owned our own

1 home there. Hundreds of people, maybe thousands of
2 people, are effected by the expansion of this farm into
3 one of the few areas that can be used in the pond for
4 recreational use. So something precious will be lost
5 unequivocally.

6 I urge you to consider that in making your decision.
7 I thank you for all the time you devoted to this. And
8 with that, I appreciate the opportunity to speak. Thank
9 you very much.

10 CHAIRWOMAN CERVENKA: Thank you for your
11 comments. We now have John Krekorian.

12 MS. SPURLOCK: John, if you're there could you
13 please raise your hand. I do not have anybody under that
14 name on the attendee's list, Madam Chair.

15 CHAIRWOMAN CERVENKA: Okay. We'll go with C.G.
16 Bush.

17 MR. BUSH: Hello. Am I on?

18 CHAIRWOMAN CERVENKA: We can hear you, not see
19 you.

20 MR. BUSH: Hello.

21 CHAIRWOMAN CERVENKA: We can hear you. Can you
22 hear us?

23 MR. BUSH: Okay, I heard you. I'm Carl Bush.
24 I live down near Snug Harbor, and I spent many, many

1 times in Potter Pond. We'd go up underneath the bridge
2 past Seagull, or the house on the end of Potter Pond.
3 We've been doing this 50 to 60 years, and mostly in the
4 summer because we usually go in by inflatable so we're
5 very familiar with the places you're talking about and
6 enjoy it very much.

7 A couple of quick comments here. I only have heard
8 about 90 percent of these proceedings, so I may have
9 missed something here. One is, I expected to hear a
10 response from the opposition attorneys about some of the
11 major ones that were made in the application. On one of
12 the diagrams for the proposed farm, there's a mark that
13 indicates the farm will be ten feet from the water's
14 edge.

15 Subsequent to that, there was an engineer from
16 DiPrete who testified that when he did the measurements
17 it's kind of hard to exactly get them, and so he rounded
18 those measurements to the nearest ten feet. I'm
19 wondering if that ten-foot measurement from someone's
20 water line there is actually maybe six rounded up to ten,
21 but some clarification on that might be helpful.

22 Secondly, there is [INAUDIBLE] to the water's edge,
23 I would assume that there's all sorts of standard use by
24 you folks as a define where the water's edge was. If

1 it's where I live, this is between the water's edge at
2 low tide and high tide is about 15 feet. I would assume
3 the CRMC has standards as to where to measure it, and
4 that they were followed. I would wonder where they get
5 the tidal data for that because the nearest point of
6 reference I know is out in the harbor refuge, and that's
7 very, very different than what is in Segar Cove.

8 The only reason I know to do that accurately is
9 because I measured it myself. I get the feeling that was
10 probably done by the people who want to see this happen.

11 The second thing I want to mention is that people
12 have talked about, first of all, a lot of people said we
13 were there, oh, I don't know, probably one whole time and
14 we didn't see anybody else boating in there in October
15 or whenever. I've been there a lot, and I see an awful
16 lot of boat activity, and this will adversely effect
17 boating activity. Anybody who tells you, yeah, you still
18 can get through this -- I believe the things are supposed
19 to be ten feet apart or something -- yeah, you could
20 still get through. You would have to be very careful if
21 you're using an outboard motor. I think you would have
22 to be real careful if you were falling off a surfboard or
23 whatever, and unusable with a towed device. I wouldn't
24 want to get in there. Who knows what kind of wires,

1 traps, et cetera one could get tangled in.

2 So I think it insults our intelligence a little bit
3 to think that you can boat through this place. You might
4 as well wipe that off in terms of any use for boating in
5 there.

6 The other thing that really upsets me a great deal
7 is this plain old appearance. I have been there a long
8 time. Mr. Raso has this existing thing which I can't
9 help but wonder where DEM or CRMC has been while his
10 currently approved farm has crept up from seven acres to
11 nine acres, and about two years ago he started using a
12 different kind of traps in there because all of a sudden
13 it got really ugly. Before that, I could see a few
14 floats and so forth -- I think it's the kind of traps or
15 cages that are suspended from above floating and they
16 started using up on Point Judith pond near High Point
17 behind Great Island. They are ugly as sin. They take a
18 perfectly functional bit of water and really disgraced
19 it.

20 Now, that was mentioned in the discussion between
21 two people. It was Mr. Raso and the other gentleman from
22 Wakefield who asked about what kind of traps are these,
23 or cages are these, are they the low profile? They said
24 yeah, they are low profile. I'll tell you, I would hope

1 somebody went out and took a picture of the low profile
2 because if what he's using now is a low profile, it's
3 worse than what he did before. I would hope the people
4 involved in this would not let that get passed by
5 anymore.

6 There are people down there. At my age we don't
7 waterski, we don't tube, et cetera. I don't typically
8 fish in there, but we do like to look out and see the
9 beauty of the place. We aren't going to have many places
10 left to do that, and I think that this is the wrong
11 place. They are going to scar one of the remaining very
12 pretty places in coastal Rhode Island, and I think as
13 Mr. Capaldi said, once it's gone, it's never coming back.

14 I have no problem with Mr. Raso. He is a
15 businessman. He wants to go out and do things and make
16 money. That's his prerogative, okay. Good for him.
17 Except, as a taxpayer resident down here, I don't want to
18 see that happen because it's never coming back. And we
19 have interest in this, too. It's important to us. I
20 would hope that Coastal Resources would remember us.

21 The other thing is, you've seen a lot of people are
22 for this. For example, a lady who is a hospitality
23 whatever from Newport, they are all pro development. It
24 seemed like most of the people, awful lot of people who

1 are pro development and stuff, business growth and so on,
2 seem to have some kind of financial interest involved in
3 it. I have no desire to do anything to bring in more and
4 more people into there because we do have more people
5 around. It's nice that we can share it all, but we can't
6 sustain that infinite number of -- infinite size influx
7 of people.

8 I think the tourist industry in Rhode Island,
9 Newport -- it falls on deaf ears here. That's basically
10 how I feel and I wish you all the very best. I would
11 also comment here about the only thing I can think of
12 about this Covid 19 thing is that you broadcast this over
13 Zoom, and I would never have been able to make very many
14 of these things in person if they were just out in person
15 at Coastal Resources. I would recommend, if you don't
16 already do, Zoom all your meetings even though you are
17 having access in person. This has been a big help and
18 thank you very much.

19 CHAIRWOMAN CERVENKA: It looks like we're
20 almost at 1:00. We just have three more minutes so I'm
21 not going to call another person so they won't be cut
22 short in their comments because they have up to ten
23 minutes.

24 I note that we did have a number of what I'll call

1 no shows of people who signed up to speak. I don't know
2 what their circumstances are, but I would afford them the
3 opportunity if they wanted to speak at a subsequent
4 meeting, which we will have to have because we still have
5 on the list nine or ten or so that would like to give
6 comment.

7 So if you would please send an e-mail to the agency
8 to indicate if you're going to be speaking and why you
9 didn't participate today, I would appreciate that.

10 So, Mr. Willis, we'll have to schedule one more
11 meeting in January.

12 MR. WILLIS: Yes, Madam Chair. As soon as this
13 is over we will reach out to the Subcommittee members and
14 interested parties to work on that schedule. And the
15 other thing that I would suggest, and I'll ask staff to
16 do, is to contact those folks that are remaining to speak
17 on the list as well as the ones that were supposed to
18 speak today but couldn't for whatever reason, and try to
19 reach out to them individually to make sure that they are
20 aware of the next meeting or if they even want to speak
21 anymore. So we'll follow up on that and update the list
22 appropriately.

23 CHAIRWOMAN CERVENKA: Again, those people who
24 sign up on the list, if you wanted to submit any written

1 comment in lieu of your spoken comments, I offer that
2 again to you. And the e-mail address was given earlier
3 in the meeting by Mr. Willis.

4 So I guess I would ask Ms. Noonan, we will have
5 another meeting for public comment, and I would like to
6 wrap that into any response that you would have to the
7 public comments. I'm assuming you would want some time
8 for that; is that correct?

9 MS. NOONAN: Yes, that would be correct.

10 CHAIRWOMAN CERVENKA: Okay. So please plan on
11 that. We'll schedule it for a three-hour meeting so I
12 think you would at least have an hour, maybe more for
13 that. Is that sufficient?

14 MS. NOONAN: I'd like to do it in an hour. I
15 don't want to drag it out.

16 CHAIRWOMAN CERVENKA: Okay. Anything else,
17 Mr. Willis? Mr. Gomez?

18 MR. GOMEZ: Yes. I just wanted to mention on
19 the idea of sending in a message or a note. I did
20 receive, I just received one and I have a copy, Lisa sent
21 me a copy, and I went through that and it gave me time to
22 kind of look at it and think about it. I found it very
23 helpful. It had included some pictures with the concerns
24 and things. So I think that was a very positive thing,

1 and I also would encourage people to take that avenue.
2 It does give me more time to really visualize it and
3 think about it. Thank you.

4 CHAIRWOMAN CERVENKA: Thank you, Mr. Gomez. I
5 agree with that. There was someone who spoke at our last
6 public hearing who did have a number of visuals that I
7 could see, and I found that helpful. But, you know,
8 there were others that would hold up photographs, and I
9 couldn't really tell what it was. So sometimes it helps
10 to submit that just by e-mail because we can grasp it
11 more readily.

12 MR. GOMEZ: Thank you.

13 CHAIRWOMAN CERVENKA: Anyone else from the
14 Subcommittee want to make any comments before we break?

15 [NO COMMENT]

16 CHAIRWOMAN CERVENKA: Okay. Hearing none,
17 Mr. Willis?

18 MR. WILLIS: No, Madam Chair.

19 CHAIRWOMAN CERVENKA: Mr. DeSisto?

20 MR. DESISTO: No, Madam Chair.

21 CHAIRWOMAN CERVENKA: All right. So thank you,
22 everyone. Have a Happy New Year, and we'll see you back
23 here in 2021.

24 MS. NOONAN: Happy New Year.

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MR. DESISTO: Happy New Year everybody.

[ADJOURNED AT 1:05 P.M.]

C E R T I F I C A T I O N

I, Lisa M Reis, hereby certify that the foregoing Pages 792 through 890, inclusive, are a true and accurate transcript of my stenographic notes of the proceedings, via Zoom, which occurred on the above-entitled dates, to the best of my ability.

LISA M. REIS, RPR
Court Reporter/Notary Public
My Commission expires on 7/27/24

Sworn to and subscribed before me,
This 12th day of January, 2021

	15,16;864:22;865:2; 873:19;874:12,14; 876:8;889:17	870:14	849:10,12;879:14; 892:5	analysis (1) 845:2
\$		adjacent (2) 843:16;875:10	aground (1) 805:18	anchored (2) 828:21;875:7
\$10,000 (1) 868:2	accessibility (1) 874:6	admire (2) 825:4;879:7	ahead (2) 803:11;847:17	anchoring (1) 800:10
\$15,000 (1) 868:2	accident (1) 877:20	admit (1) 799:23	air (2) 858:19;871:1	Andrew (1) 805:15
\$150 (1) 867:23	accidents (1) 805:13	admitted (2) 803:9;877:4	airport (1) 824:8	angles (1) 839:1
\$311 (1) 854:13	accommodated (1) 798:24	admitting (1) 797:21	algae (4) 804:10;848:18,24; 849:4	Ann (2) 813:20;814:13
\$4,450 (1) 854:17	According (1) 875:16	adult (2) 815:18;844:22	Alicia (1) 872:14	anti-rejection (1) 862:24
\$50 (1) 839:11	account (3) 820:3;822:6,10	adults (3) 827:13;829:7; 875:23	allow (4) 819:3;838:9;862:6; 864:1	anymore (3) 868:12;888:5; 890:21
[accurate (1) 845:3	advantage (1) 860:11	allowable (1) 877:4	apart (1) 886:19
[ADJOURNED (1) 893:2	accurately (2) 877:2;886:8	adventure (1) 818:4	allowed (2) 852:18;855:6	apparatus (2) 844:23;848:8
[COMMENCING (1) 794:2	acre (4) 867:23;868:2; 877:7,9	adverse (1) 855:20	allowing (2) 859:11;864:8	appearance (1) 887:7
[INAUDIBLE] (1) 885:22	acreage (2) 852:12;853:8	adversely (1) 886:16	allows (1) 840:20	appears (2) 856:24;873:10
[NO (1) 892:15	acres (6) 808:22;875:14; 876:22;877:9;887:10, 11	Advisory (1) 853:2	almost (9) 800:12;803:20; 824:15;862:2;871:16; 877:5,9;881:5;889:20	Appleby (5) 878:16,18,21,22,24
[PAUSE] (6) 805:3;806:20; 831:21;842:8;856:21; 857:9	across (5) 808:1;847:19; 859:13;862:11;865:1	affect (2) 849:14;875:9	alone (2) 814:13;822:3	applicant (6) 796:6,9;852:5; 853:22,24;856:8
[RECESS (1) 846:24	activities (28) 800:7,11;802:1,4, 11;804:3;805:6,24; 806:3,7,9;810:13,14; 814:1;821:18;826:15; 828:16;833:16; 838:13;860:10,17,19; 861:8;870:12;876:19; 880:3;882:6;883:2	affected (1) 874:3	along (8) 805:10;815:23; 816:5;817:15;872:24; 875:10;876:17; 881:11	applicant's (2) 854:17;868:23
A	actually (17) 805:11;815:24; 816:19;827:7;828:18; 833:20,20;836:21; 848:7;849:24;850:17; 871:5;873:9;879:1, 22;883:20;885:20	afford (2) 874:6;890:2	alterations (3) 821:18,19,22	application (20) 794:9;800:14,22; 802:13,20,21,22; 811:24;829:4;852:15; 854:21;859:19,21,22; 862:9;864:6;869:11; 872:3;874:10;885:11
ability (7) 809:16;820:5; 836:7;838:4;840:17; 851:2;871:19	ad (16) 800:18,20;802:9; 809:15;810:8;828:2, 11;855:19;880:13,16, 24;882:19,22;883:15; 886:16,17	afternoon (5) 872:13;878:18; 881:15,21,22	alternative (1) 812:5	applied (1) 852:15
able (19) 802:5;813:3,4; 815:13,14;817:11; 824:21;826:4;830:20; 839:15;846:22; 850:15;860:11;863:5; 866:22;875:17;880:8; 882:17;889:13	actually (17) 805:11;815:24; 816:19;827:7;828:18; 833:20,20;836:21; 848:7;849:24;850:17; 871:5;873:9;879:1, 22;883:20;885:20	afternoons (1) 881:16	Although (1) 859:14	apply (1) 839:12
above (2) 808:23;887:15	addition (7) 796:19;798:6; 808:10;812:18; 845:19;874:15;881:2	Against (23) 794:15;796:22; 799:4;806:12;815:14; 820:10;821:9,18; 822:19;830:23;832:9, 16;843:24;844:18; 845:1,3;847:2;851:4; 864:8;865:13;869:19; 890:23;891:2	always (10) 825:2;839:13; 841:1,2,19,19,20; 861:10;863:11;865:6	appreciate (16) 806:11;812:19; 818:10,19;835:1; 838:4,5;842:2; 845:13,24;851:12; 865:4;869:4,13; 884:8;890:9
absence (1) 881:24	additional (2) 794:13;873:9	against (6) 830:1,2;859:21,22; 868:18;869:1	AM] (1) 794:2	appreciation (1) 837:22
Absolutely (8) 810:23;824:2; 848:11;858:16;879:8, 12;880:10,18	address (4) 809:12;846:16; 848:11;891:2	age (2) 833:15;888:6	amazed (1) 839:20	approaching (1) 805:7
absorbed (1) 862:2	addresses (1)	agency (2) 846:8;890:7	amazing (6) 813:3,18;814:10, 10;816:15;856:9	appropriate (2) 879:14,19
absurd (1) 848:7		ago (7) 803:24;811:15; 826:3;862:23;872:15; 880:7;887:11	ambassador (1) 879:15	appropriately (1) 890:22
abut (2) 821:16;855:11		agree (6) 802:8;844:17;	ambitious (1) 881:14	approval (1) 865:8
access (12) 814:17;836:12,14,			amount (10) 800:18;802:10; 809:21;827:8,17; 829:12;841:8;854:21; 861:1;875:17	approve (4) 802:21;829:24; 859:19;864:6

<p>approved (7) 807:6;808:22; 860:1;862:10;876:3; 877:17;887:10</p> <p>approving (1) 805:23</p> <p>approximately (3) 818:24;821:2;822:7</p> <p>aquaculture (13) 839:12,22;851:23; 852:10;853:16,24; 854:11;855:12; 859:20;861:1,2; 862:1,2</p> <p>area (65) 800:16;805:9,14; 807:14;808:12;809:9, 17;810:3,11,13,14,21; 811:3,9,16,18,21; 812:11,12,15;816:22; 817:8;819:22,23; 821:3,8,9;822:13,13; 824:17;825:18;826:7, 14,21;827:14,18; 828:1,15;829:6,18; 836:3,23;841:13,14; 844:6,10;852:16; 856:11;859:16;863:8; 864:20;866:15; 867:21;871:11,14; 872:23;875:23;876:6, 17,18;877:16;879:8; 881:10;882:24;883:7</p> <p>areas (11) 805:11;812:3; 821:16,23;830:9; 844:1;860:19;861:7; 876:13;882:4;884:3</p> <p>arguments (1) 851:23</p> <p>around (16) 798:7;804:8; 808:11,13;810:20; 811:20;814:4;815:1, 24;826:10;834:21; 858:10;867:3,10,14; 889:5</p> <p>art (2) 860:6;864:5</p> <p>article (1) 804:16</p> <p>ashes (2) 817:14,18</p> <p>aspects (1) 805:16</p> <p>associated (3) 805:24;821:19; 845:17</p> <p>assume (2) 885:23;886:2</p> <p>assuming (2) 870:21;891:7</p> <p>attendees (4) 806:17;842:15,21; 846:15</p> <p>attendee's (6) 798:1;832:13,17; 847:12;878:4;884:14</p> <p>attending (1) 795:13</p> <p>attention (1) 814:8</p> <p>attorneys (1) 885:10</p> <p>attracted (1) 804:1</p> <p>audience (1) 831:13</p> <p>audio (1) 837:19</p> <p>available (3) 847:6;871:21; 882:24</p> <p>Ave (1) 876:12</p> <p>Avenue (4) 833:10,11;876:16; 892:1</p> <p>avenues (1) 848:10</p> <p>avid (1) 866:2</p> <p>avoiding (1) 883:12</p> <p>aware (4) 798:3;853:22; 861:11;890:20</p> <p>away (9) 811:22;835:15,16; 836:7;850:4;867:24; 868:14;882:10; 883:10</p> <p>awe (1) 840:19</p> <p>awful (2) 886:15;888:24</p>	<p>backyard (3) 806:2;848:14,15</p> <p>balance (12) 841:15,22;845:14, 15,16,18,20;860:7; 864:5,5;873:14,15</p> <p>Banberry (1) 851:21</p> <p>Bar (19) 801:15,19;803:22; 829:14;834:22; 856:11,15;859:14; 860:13;862:12,16,17, 21;863:4,8,22; 865:10;873:6;879:9</p> <p>bare (2) 807:24;810:5</p> <p>barge (5) 826:19;839:23; 840:14,16,19</p> <p>barges (3) 826:24;829:15; 874:19</p> <p>base (1) 850:13</p> <p>based (6) 804:19;818:22; 820:17,24;822:9; 838:20</p> <p>basically (3) 865:11;871:22; 889:9</p> <p>basin (2) 805:22;877:16</p> <p>basis (6) 800:6,6;816:14; 822:17;841:23;881:5</p> <p>bass (3) 865:23;868:7,12</p> <p>bay (2) 794:10;855:23</p> <p>Beach (4) 800:5;802:16; 815:10;834:23</p> <p>beaches (1) 804:2</p> <p>beautiful (9) 801:20;804:2,7; 825:23;826:14;829:6; 836:5;848:15;861:7</p> <p>beauty (7) 819:6;837:9;838:4; 854:10,12,16;888:9</p> <p>became (3) 814:16;862:22; 880:23</p> <p>Becky (2) 832:5,6</p> <p>become (4) 856:1;862:12,17; 873:18</p> <p>bed (3) 803:20;805:5;806:7</p>	<p>Bedford (1) 841:7</p> <p>bedroom (1) 872:20</p> <p>beds (1) 804:19</p> <p>Beehnert (1) 796:14</p> <p>Beetle (3) 881:4,4;883:3</p> <p>began (1) 843:13</p> <p>begin (1) 861:20</p> <p>beginner (1) 815:12</p> <p>beginning (1) 833:5</p> <p>begs (2) 802:20;877:5</p> <p>behalf (4) 813:7;837:23,24; 859:18</p> <p>behind (1) 887:17</p> <p>Bellevue (1) 859:17</p> <p>below (2) 830:24;871:15</p> <p>Ben (2) 842:18,21</p> <p>beneath (1) 855:15</p> <p>benefit (8) 798:18;801:20; 809:20;811:8;846:15; 864:2;871:24;879:17</p> <p>benefits (3) 849:5;858:21; 871:24</p> <p>benefitting (1) 809:17</p> <p>best (7) 812:7;815:21; 823:21;834:4,8; 840:1;889:10</p> <p>Beth (1) 796:9</p> <p>better (4) 830:9;847:23; 857:22;864:18</p> <p>Beutel (4) 854:2,3;866:9; 877:1</p> <p>Beutel's (1) 870:7</p> <p>Beverly (1) 814:14</p> <p>Beverly's (1) 814:15</p> <p>big (10) 808:9;811:20; 812:16;822:1;848:24;</p>	<p>850:7;858:21;869:7; 871:11;889:17</p> <p>bigger (1) 806:4</p> <p>biological (1) 820:23</p> <p>birthday (1) 814:23</p> <p>bit (5) 807:3;836:10; 838:7;887:2,18</p> <p>black (2) 871:11,13</p> <p>blast (1) 815:7</p> <p>blessed (1) 861:6</p> <p>blink (1) 818:3</p> <p>bloom (2) 849:1,4</p> <p>blooms (2) 804:10;848:18</p> <p>blotch (1) 871:10</p> <p>blue (4) 866:3;867:2; 868:15;871:11</p> <p>board (6) 812:4;848:6; 849:17;873:22; 874:22;876:4</p> <p>boarding (12) 800:8,9,9;807:24; 816:3,4;844:3,4; 861:5;872:22;880:21; 881:9</p> <p>boards (2) 823:22;870:23</p> <p>boat (16) 803:20;804:23; 805:21;810:12,19; 822:2,5;865:2; 873:21;881:4,7,10; 882:18;883:4;886:16; 887:3</p> <p>boated (1) 804:6</p> <p>boater (2) 853:14;881:19</p> <p>boating (16) 800:7;802:2; 805:13,20;814:18; 822:4;834:19;844:3, 5;861:4;870:24; 877:16;881:2;886:14, 17;887:4</p> <p>boats (29) 800:10;809:3; 810:13;822:5,8; 827:8;828:10,22; 829:12;845:8,9; 850:5,6;858:4;</p>
B			
<p>Baccardis (1) 813:16</p> <p>back (30) 799:1;812:4;820:7, 7;831:13;832:4,19; 834:18;835:24;836:3; 846:20,22;847:2; 854:9;857:1,5; 861:24;863:17; 864:21,22;867:21; 868:8;869:7,19; 870:24;871:4;876:2; 888:13,18;892:22</p> <p>backed (1) 801:4</p> <p>background (2) 806:10;807:2</p>			

859:16;864:22; 866:14,21,23;867:12; 880:22;882:17,20; 883:7,7,12,20,21,21	brown (1) 871:10	826:3,10;834:14; 879:23	803:5,6,12,13	CG (1) 884:15
body (2) 845:23;865:11	bucket (1) 839:11	camera (1) 825:9	carries (1) 875:5	Chair (25) 794:4,16,17;795:6, 9,22;796:1;797:23; 798:13;831:7,15; 832:8,16;842:10,15; 846:9;847:4;851:17; 857:11;878:4,14; 884:14;890:12; 892:18,20
book (2) 821:13;852:22	Bud (1) 813:20	cameras (2) 798:9;846:21	carry (2) 805:17;873:21	CHAIRMAN (1) 794:18
born (1) 827:3	Bud's (1) 814:12	can (95) 796:17;798:3,8,9; 800:2;801:14;802:16, 17;803:8;805:1; 806:21,23;809:2,2; 812:14;816:7;818:13, 16;819:3,5,20; 821:21;823:5,6,12; 824:6;829:7;830:15; 831:8,14,19;832:3,10, 15,24;834:7;835:3; 836:12;838:5;841:22; 843:2,3;846:6,14; 847:1,14;848:10; 849:10,18;850:5,6,18, 22;851:10;856:15,18, 18,19;857:5,16,16,24; 859:8,9;860:9,15; 862:16;864:11,12,15, 17;866:15;869:19,20, 24;870:1;871:4; 872:6,7;877:7; 878:18,19;881:14,22; 882:5;883:3;884:3, 18,21,21;886:18; 887:3;889:5,11; 892:10	carrying (2) 820:22;851:24	CHAIRWOMAM (2) 795:3,20
both (9) 819:12;820:22; 835:22;859:21;860:2, 6,16;861:6;880:6	build (1) 812:14	canoe (1) 870:23	cascading (2) 883:1,14	CHAIRWOMAN (98) 794:3,19,21,24; 795:7,11,16,23;796:2, 5,8,11,14;798:5,14; 799:6,13,20,23;800:3; 803:4,7,11;806:13,23; 812:21,24;818:14,17; 823:3,6;825:1,6,10; 831:3,6,10,12,23; 832:3,9,14,18;833:2, 5;837:15,17,20;842:4, 11,16,24;843:3;846:1, 10,14,19;847:1,7,13, 17;851:13,18;856:17, 22;857:4,12,15;859:4, 6,9;864:9,12,15,17; 869:18;870:1;872:4, 7,11;877:24;878:5,10, 15,19;884:10,15,18, 21;889:19;890:23; 891:10,16;892:4,13, 16,19,21
bottom (1) 848:20	building (2) 805:5;814:3	canoeing (2) 800:10;880:5	case (2) 819:8;821:22	challenge (1) 869:11
bought (3) 803:24;813:15; 872:15	built (3) 813:21;826:9;879:7	capacity (3) 820:22,23;851:24	Cat (3) 881:4,4;883:3	challenging (1) 813:5
boundaries (1) 821:24	bunch (4) 802:19;810:8,9,11	Capaldi (8) 851:19,20,20; 856:17;865:19,22; 867:20;888:13	caught (1) 824:18	chance (1) 868:10
box (1) 798:2	Buonaiuto (1) 878:1	Capizzo (5) 796:12,13;831:15, 24;832:1	cause (2) 810:3;850:7	change (1) 804:9
Boyd (3) 795:8,9,9	buoyed (1) 854:4	car (1) 824:8	celebrate (1) 813:24	changes (1) 867:13
boys (2) 835:23;864:21	buoys (4) 826:12;829:10; 850:1;854:1	care (1) 869:17	center (5) 839:22;844:8,9; 859:17;883:11	change (1) 804:9
bread (1) 863:6	burden (1) 835:3	careers (1) 854:6	central (1) 821:16	challenge (1) 869:11
break (4) 798:7;832:18; 846:3;892:14	Bush (5) 884:16,17,20,23,23	careful (2) 886:20,22	Cerio (7) 857:12,13,14,17,17; 859:4,5	challenging (1) 813:5
breaks (1) 824:20	business (19) 806:4;812:8; 817:22;818:4;829:2; 830:8,13,13,14; 839:13,15;845:13; 850:11;863:24;872:1; 873:13,15;879:17; 889:1	carefully (1) 874:3	CERREAU (1) 805:4	chance (1) 868:10
breathing (1) 804:15	businesses (2) 860:12,12	careless (1) 827:4	certain (2) 811:12;834:7	change (1) 804:9
bridge (2) 866:11;885:1	businessman (2) 877:6;888:15	Carl (1) 884:23	Certainly (3) 815:23;882:14,14	changes (1) 867:13
brief (1) 843:7	busy (6) 810:18;828:21; 844:13;873:5;881:15, 22	Carle (1) 884:23	CERVENKA (102) 794:3,4,16,19,21, 24;795:3,7,11,16,20, 23;796:2,5,8,11,14; 798:5,14;799:6,13,20, 23;800:3;803:4,7,11; 806:13,23;812:21,24; 818:14,17;823:3,6; 825:1,6,10;831:3,6, 10,12,23;832:3,9,14, 18;833:2,5;837:15,17, 20;842:4,11,16,24; 843:3;846:1,10,14,19; 847:1,7,13,17;851:13, 18;856:17,22;857:4, 12,15;859:4,6,9; 864:9,12,15,17; 869:18;870:1;872:4, 7,11;877:24;878:5,10, 15,19;884:10,15,18, 21;889:19;890:23; 891:10,16;892:4,13, 16,19,21	channel (5) 805:7,9,9,14,22
bring (5) 821:6;823:24; 829:16;838:12;889:3	Byron (1) 820:21	Carole (2) 833:2,8	center (5) 839:22;844:8,9; 859:17;883:11	chaos (1) 867:11
bringing (2) 820:13;861:1	C	Carreau (4)	central (1) 821:16	Chaplin (1) 858:2
brings (4) 818:6;841:24; 858:7;863:23	cages (4) 826:12;829:11; 887:15,23		Cerious (1) 857:12,13,14,17,17; 859:4,5	charge (1) 853:1
Brittany (5) 795:23;797:17; 799:7;831:17;851:14	call (10) 795:15;797:23; 808:12;826:4;828:18; 856:5;866:21;868:7; 889:21,24		celebrate (1) 813:24	chat (5) 798:2;846:4,5; 847:5;856:20
broad (1) 843:9	called (3) 814:15;843:16; 869:7		center (5) 839:22;844:8,9; 859:17;883:11	check (2) 832:19;865:15
broadcast (1) 889:12	came (4)		celebration (1) 813:24	cherish (4) 835:7;837:4,5,5
brought (10) 819:23;826:17,18; 839:6,21;840:14,14, 15;856:11;879:24			center (5) 839:22;844:8,9; 859:17;883:11	Cheryl (1)

837:17	clearly (3) 850:11;852:6;875:6	851:10;864:4;870:7; 879:15;880:15; 884:11;885:7;889:22; 891:1,7;892:14	concur (2) 873:3;875:21	conversation (3) 816:11;875:5,6
chief (2) 796:16;806:14	clients (3) 829:15;839:5; 840:15	commercial (1) 816:18	condominiums (1) 812:2	cool (1) 871:3
child (2) 834:17;844:22	clinging (1) 804:13	commission (2) 830:1;865:15	confess (1) 881:19	Cooney (1) 872:14
children (14) 815:8;817:9; 828:11;834:8;837:7, 7;870:18;871:2; 872:16;875:19,22; 876:5,18;877:20	close (1) 856:7	committed (1) 870:20	confidently (1) 849:18	coordinator (1) 795:21
children's (1) 837:7	closest (2) 844:13;848:2	Committee (6) 830:16;837:23; 869:11;874:12; 877:13,22	conflict (1) 829:21	copy (2) 891:20,21
chose (3) 871:6;880:9,9	closing (1) 877:17	COAST (1) 828:14	conflicted (1) 853:4	core (1) 839:19
chosen (1) 833:20	COAST (1) 828:14	Coastal (10) 794:5,7;837:23; 853:1,23;865:12; 870:20;888:12,20; 889:15	connecting (1) 856:19	corner (1) 849:23
chowder (1) 863:14	Coastal (10) 794:5,7;837:23; 853:1,23;865:12; 870:20;888:12,20; 889:15	commons (2) 867:6;869:12	connection (1) 834:1	corporate (1) 838:13
Chris (1) 832:14	coastlines (1) 834:2	communicated (1) 876:4	cons (1) 817:24	correlation (1) 804:19
chunk (1) 822:1	Coia (3) 794:17,18,18	communicating (1) 874:18	conservation (3) 830:1;856:11;859:3	co-sign (1) 800:20
cinder (1) 868:3	collaboration (1) 817:2	communication (1) 831:24	consider (9) 806:5;818:7,11; 819:17;825:18; 843:17;860:17; 875:12;884:6	Council (10) 794:5,8;797:10,12, 13;803:15;852:23; 868:17,23,24
Circle (1) 879:1	collecting (1) 814:5	communities (1) 818:4	consideration (4) 803:3;820:14; 822:18;872:3	counsel (5) 796:8,12,16;799:1; 806:15
circumstances (1) 890:2	collective (1) 817:7	community (13) 817:22;830:13,14; 836:1,4,9;858:8,21; 860:4,14;863:12,13; 877:23	considered (1) 865:7	count (2) 823:12,19
citizen (1) 873:17	collectively (1) 818:7	company (1) 838:11	considering (2) 794:8;871:22	counted (2) 807:14;808:4
citizens (2) 835:6;850:21	college (1) 880:1	completely (2) 817:3;824:7	considers (1) 827:2	countless (3) 828:3;829:8,10
city (1) 834:6	Colorado (1) 830:24	complex (2) 875:14,21	consistent (1) 843:14	countries (1) 840:13
claimed (1) 854:4	combined (1) 883:9	compliance (2) 858:13,23	constant (2) 824:4;855:7	country (3) 821:1;837:4,8
clam (3) 805:9,11;863:14	comfortably (1) 804:24	component (1) 841:3	constitution (1) 820:18	couple (4) 800:13;807:1; 817:16;885:7
clammed (1) 804:5	coming (14) 807:13;809:3; 825:13;826:24;827:8, 21;829:12;839:18; 845:9;859:16;879:21; 880:1;888:13,18	computation (1) 877:8	consumer (1) 801:9	course (2) 803:10;807:16
clamming (7) 800:8;804:13; 835:22;861:5;872:23; 875:8;881:9	comings (1) 874:19	computer (2) 856:24;857:3	contact (2) 799:4;890:16	court (2) 796:2,4
clams (2) 834:18;881:10	commendation (1) 805:19	concept (1) 850:17	content (2) 824:9;855:22	Cousteau (1) 835:19
clarification (1) 885:21	comment (11) 794:12;796:20; 797:3,5;798:15; 846:5,8;889:11; 890:6;891:1,5	concern (9) 844:19;848:3,12; 855:3,5,11;856:7; 877:23;883:19	continue (9) 795:16;799:4; 841:11;862:3;868:15; 869:14;870:16; 874:24;875:2	Cove (138) 800:7,12,18,21; 802:5,12;804:21,23; 805:5,7,22;807:3,12; 808:10,12;809:7,10, 14;810:1;811:7,13,14, 19;812:11;815:1,9,12, 19;816:5,19,23; 817:18,24;819:6,18, 22;820:9;821:8; 822:1,3,8,10,12,12,15, 22,22;827:2,16;828:1, 8,15,17,18,23;829:11; 830:2;833:12,14,15, 16;834:3;835:22; 836:7,18;837:12; 841:13;843:16,16,17,
classified (1) 855:5	COMMENT] (1) 892:15	concerned (6) 805:4,12;807:8; 820:5;845:4;848:9	continues (2) 861:19;862:5	
classroom (3) 834:12,14,15	commented (1) 805:12	concerns (4) 843:9,14;875:13; 891:23	continuously (1) 860:13	
claw (3) 866:3;867:2;868:15	comments (21) 796:23;801:4; 803:2;812:7;831:4; 843:6,7,12,20;849:10;	conclude (1) 857:1	Contrary (1) 870:6	
clean (1) 804:10		concluded (1) 845:2	contribute (1) 873:9	
cleaners (1) 855:16		concludes (1) 822:24	contributes (2) 860:13;873:7	
clear (6) 816:6;843:13; 844:19;851:4,6; 853:18			control (2) 820:16;821:23	

17,19;844:9,13,14,21; 845:5,7,10;849:15,18, 22;852:3,7,12;854:4; 855:23;856:1,10; 858:2;859:20,24; 868:8;870:13,19; 872:14,16;875:10,15, 18;876:10,14,16,23; 877:1,13;879:2,2,18; 880:6,6,10,12,16,17, 21;881:5,8,9,18,23, 23;882:6,6,8,8,20,23; 883:2,5,9,11,12,15,19, 20,21;886:7	806:13 current (6) 798:21;803:20; 845:12;847:23;848:2; 871:9 currently (1) 887:10 customers (1) 863:12 cut (2) 819:20;889:21 cutting (1) 819:21 Cynthia (2) 832:11,12	deal (6) 810:8;829:21; 854:5;855:3;857:19; 887:6 dealing (1) 847:19 dear (1) 815:2 Debra (2) 803:5,9 debris (1) 861:12 decades (2) 862:3;879:22 DECEMBER (2) 794:1,6 decide (1) 877:13 decided (2) 825:2;870:15 decidedly (1) 845:19 deciding (1) 845:14 decision (5) 806:1;818:1;860:6; 877:15;884:6 deck (1) 849:6 decline (2) 811:23;855:24 decrease (4) 809:9,16;810:14; 829:9 deep (11) 804:22;805:24; 815:21;844:1;856:2, 4;866:4,6,7;870:18; 871:23 deeply (4) 817:8,15;871:23; 879:7 defending (1) 836:23 define (1) 885:24 definitely (2) 849:9;862:9 degree (1) 833:24 degrees (1) 830:24 deliberates (1) 797:8 DEM (2) 817:2;887:9 DeMagistris (1) 842:12 demand (8) 801:2,6,12,22; 861:19,20;862:3,5 demonstrate (1) 800:23	demonstrated (1) 830:3 denial (3) 867:6,21;868:14 denied (3) 868:10,16;874:14 Denise (4) 847:3,8,13;851:14 densely (1) 821:16 density (2) 821:3,5 deny (1) 872:3 depiction (1) 871:10 deplete (1) 871:23 deprive (1) 875:14 depth (1) 873:22 depths (1) 819:24 deputy (1) 795:7 descend (1) 873:20 described (3) 821:9;843:19,20 describes (1) 821:16 description (1) 821:14 designated (5) 814:24;816:23; 821:8;856:8;874:11 designed (1) 849:21 desire (1) 889:3 desires (1) 841:23 DeSisto (6) 795:12;798:11; 806:14;892:19,20; 893:1 destination (1) 838:11 destroy (1) 830:6 determine (2) 794:14;851:14 detriment (1) 801:23 detrimental (1) 882:10 devastated (2) 840:7,7 devastating (2) 810:22,23 develop (3) 855:6;858:15;	865:12 developed (5) 812:1;843:12; 844:18;852:7,17 developers (1) 821:16 developing (1) 856:6 development (4) 806:7;812:3; 888:23;889:1 device (1) 886:23 devoted (1) 884:7 diagrams (1) 885:12 dicey (1) 810:10 differences (1) 819:24 different (16) 807:23;808:17; 812:2;814:17;815:21; 816:7;819:8;827:5; 828:10;838:7;839:1; 841:18,18;868:4; 886:7;887:12 difficult (4) 828:19;845:13; 873:18;883:12 diligence (1) 858:24 DiMagistris (3) 847:3,8;851:15 diminish (2) 876:23;883:10 dining (1) 872:20 DiPrete (1) 885:16 direct (2) 802:14;843:18 directly (9) 802:16,17;847:24; 848:23;855:4,15; 872:23;875:9;879:2 director (2) 795:5,7 disappointment (1) 818:5 discourage (1) 856:15 discovering (1) 804:3 discovers (1) 852:14 discussion (4) 811:2;819:19; 845:15;887:20 disgraced (1) 887:18 disingenuous (1)
	D			
cover (1) 807:1 coves (1) 815:21 Covid (4) 862:21;863:2,4; 889:12 crabbed (1) 804:5 crabber (1) 866:2 crabs (3) 866:3;867:2;868:15 craft (2) 800:16;881:2 crazy (2) 816:21;867:19 create (2) 802:11;833:18 crept (1) 887:10 crisp (2) 816:6;871:1 critical (5) 855:3,5,11;856:7; 862:4 CRMC (14) 820:18;821:7,12, 13;847:20;852:22; 854:8,18;856:8; 865:7;871:10;877:12; 886:3;887:9 CRMC's (1) 855:13 crowded (2) 828:20,21 crowds (1) 873:5 crushing (1) 824:2 Cstaff1@CRMCRIgov (1) 846:18 cube (1) 819:19 cubic (1) 817:3 culture (1) 835:12 Curreau (1)	dad (2) 814:24;862:16 daily (8) 800:6,6;803:20; 816:14;829:13; 855:19;874:23;881:5 damage (2) 848:7;877:9 damper (1) 826:23 danger (6) 810:16,17;812:18; 829:9,17;875:22 dangerous (6) 802:8,11;824:17; 826:7,14;844:17 dark (1) 871:11 data (4) 801:4,9;861:21; 886:5 date (3) 794:5;848:20; 854:17 daughter (2) 814:14;827:1 daughters (4) 825:17;827:6,22; 829:19 Dave (2) 853:3;877:1 David (1) 876:11 dawn (1) 852:4 day (11) 798:23;827:6; 828:10;841:18; 849:16,19;862:24; 864:23;865:24;868:8; 880:20 days (2) 823:19;841:18 deaf (1) 889:9			

800:17 disruption (1) 829:17 disturbance (2) 855:6,7 diving (1) 800:10 dock (13) 811:21;815:11; 822:5;828:8;839:15; 873:18,20,24;874:2,4, 9,12;881:17 docks (7) 814:9;821:17; 822:4,5;865:16; 866:20;867:12 document (2) 821:11,15 documented (1) 822:3 dog (1) 805:2 domino (2) 883:1,13 Don (1) 794:21 donates (1) 863:14 donations (1) 854:17 Done (17) 794:23;804:20; 812:5;815:6;817:6; 820:24;823:9;824:20; 833:18;836:21;841:1; 854:5;858:24;869:10; 877:10;880:5;886:10 door (1) 805:1 down (13) 798:12;817:10; 819:5;823:19;833:11; 850:6;868:11;873:21; 881:21;882:18; 884:24;888:6,17 Dr (4) 820:7,9,15,21 drag (1) 891:15 dramatic (2) 810:2;882:10 dramatically (3) 809:11;810:4;811:6 drawing (1) 812:4 dredging (1) 868:7 drive (1) 883:6 driver (1) 814:24 driving (1) 870:16	drums (1) 848:23 due (4) 826:8;829:9;840:8; 858:24 dug (4) 816:20,22;834:18; 866:7 During (8) 804:5,9;822:4; 855:22;872:20; 881:11,22;882:16 Durkin (2) 832:5,9 dusk (1) 852:4 Dwyer (2) 795:21,22	E	earlier (8) 819:12;844:17; 861:3,17;879:15; 881:3;883:18;891:2 early (4) 809:3;820:21; 870:24;874:5 ears (1) 889:9 earth (1) 816:14 easier (2) 798:1;874:6 easily (1) 871:16 East (5) 815:10;828:14; 834:12;855:4;859:12 eastern (1) 866:1 easy (2) 850:23;872:16 eat (1) 863:9 echo (1) 883:17 ecology (1) 804:8 economy (1) 854:16 Ed (7) 831:6,7,8,12,19; 842:24;843:1 edge (4) 885:14,22,24;886:1 edges (1) 816:6 educate (2) 835:17;836:9 educated (1) 835:23 education (12)	833:22,24;834:5, 20,21;836:2,6,19; 839:23;840:23;841:2; 850:23 educational (1) 841:3 educator (3) 833:22;839:5;842:1 eel (2) 850:1;877:11 eeling (1) 864:21 effect (10) 809:11;811:6; 882:10,12,15,23; 883:2,13,14;886:16 effected (6) 808:15;809:21; 811:6,18;875:11; 884:2 effective (2) 807:5;809:24 effectively (1) 845:4 effects (1) 812:11 effectuate (1) 807:7 efforts (1) 852:23 eggs (1) 863:6 eight (3) 814:1;856:14; 863:10 either (2) 800:5;881:24 element (1) 854:16 eliminates (1) 845:4 eloquent (1) 865:20 eloquently (2) 853:3;867:20 else (10) 798:6,17;823:19; 824:8;846:7;849:15; 861:16;886:14; 891:16;892:13 e-mail (5) 846:8,15;890:7; 891:2;892:10 embark (1) 804:4 embarrassing (1) 823:15 ambassador (4) 839:3;840:10,22; 842:1 emerge (1) 814:20 emergency (1)	799:2 emotionally (1) 819:9 emphasize (5) 845:7;860:5;864:4; 882:12;883:17 employ (1) 840:3 employees (1) 841:20 employs (1) 863:22 encourage (1) 892:1 end (10) 794:14;798:22; 809:14;830:15; 832:11;833:11;850:5, 6;876:19;885:2 ended (1) 853:2 endless (1) 823:23 engaged (1) 880:3 engineer (1) 885:15 engineers (1) 849:21 engrained (1) 827:13 enjoy (26) 802:11;805:6; 806:6,9;812:14; 816:7,13;819:4,5; 825:23;828:24;835:6, 13;844:11;857:19; 858:10;860:10,16; 862:13,14,16;870:17; 871:20;881:6,18; 885:6 enjoyed (10) 803:21;807:12,16; 808:3,18;819:2; 830:6;837:12;870:12; 872:18 enjoying (3) 804:21;807:20; 864:21 enjoyment (1) 829:3 Enos (8) 812:22,23;813:1,6, 6,24;814:15;818:14 enough (3) 818:9,9;880:8 ensure (1) 841:12 entire (2) 817:15;853:10 entirely (1) 843:14 entitled (3)	835:6;836:16; 861:24 entrance (4) 829:12;845:7; 879:2;880:11 entrepreneur (2) 839:3;841:24 entrepreneurship (1) 839:20 environment (6) 804:2,8;806:8; 826:21;834:2;847:21 environmental (2) 833:24;869:5 environmentalist (1) 837:2 envy (1) 848:13 equipment (3) 874:17,19;875:4 especially (6) 827:14;834:3; 860:12;863:5;876:10; 881:15 Essentially (2) 818:22;821:15 established (1) 883:6 estimate (1) 874:8 estimation (1) 809:8 et (5) 808:12;809:23; 825:22;887:1;888:7 Even (15) 816:9;826:11; 829:22,24;841:3; 844:5;849:3;855:7; 862:22;863:6;864:1; 875:23;881:12; 889:16;890:20 evening (2) 804:12;813:13 events (3) 814:23;825:3; 838:12 everybody (17) 800:1,2;803:1; 806:21;807:8;809:8; 812:1;814:15;817:17; 818:16;822:15; 828:24;853:18; 857:24;867:10,17; 893:1 everybody's (3) 802:24;803:2;812:7 everyone (9) 794:3;798:8; 826:10;837:18;843:5; 846:21;850:18; 859:10;892:22 everyone's (1)
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843:6 everywhere (4) 828:12,13,13; 865:17 exact (2) 808:21;842:17 exactly (4) 808:21;853:12; 860:21;885:17 example (1) 888:22 examples (1) 863:13 exceeded (1) 877:4 exceeds (1) 854:10 Except (1) 888:17 exception (2) 855:12,13 excessive (1) 804:9 exclusive (1) 829:1 excuse (1) 809:15 executive (2) 795:5;873:4 existing (5) 808:19;845:16; 856:3;879:12;887:8 expand (6) 838:22;850:16; 851:2;863:24;876:22; 883:16 expanded (4) 801:15,16;811:8; 839:21 expanding (1) 845:18 expansive (1) 880:13 expected (1) 885:9 expecting (1) 807:18 expense (2) 829:2;845:20 experience (10) 810:10;816:12; 818:7;824:14;838:23; 839:2;840:16,18; 853:15;882:2 experienced (1) 881:19	experiences (5) 813:23;816:9; 818:2;840:18;870:24 expert (2) 819:13;855:14 experts (2) 809:8;811:3 explain (1) 838:9 explored (2) 823:14;834:18 exploring (1) 834:9 expressed (1) 859:24 extend (1) 837:22 extended (1) 872:16 extremely (2) 824:17;831:2 eyesight (1) 847:23	24;814:9;816:9; 817:20;825:7;827:5; 844:2;859:15;861:3; 862:11,14;872:17; 875:15;879:22 family's (1) 876:23 famous (1) 837:2 fan (2) 857:18;879:9 fans (1) 879:8 fantastic (2) 812:9;851:9 far (10) 795:14;819:9,11; 820:15,21;821:13; 822:2;838:8;843:21; 854:10 farm (86) 794:10;800:17,24; 807:4,5;808:19,19; 809:6,9,15,18,24; 810:21;811:8,14; 812:11,15;815:4; 816:2,24;824:10,13, 16;826:8,22;827:21; 828:4,24;829:13,22; 830:6,10;837:24; 838:16,23,24;839:16; 840:4;841:4,15; 844:7,15;845:9,17,19; 847:23;848:2,3,5,7,8, 10;849:1,20;857:21; 860:1,3,4,9,16,18,20, 24;861:15;864:2,7; 871:10;873:2,9; 874:11,23;875:8; 876:22;877:5,17,19; 879:12,14,19;880:19; 882:13;883:16;884:2; 885:12,13;887:10 farmer (1) 850:20 farmers (4) 826:19;858:15; 862:6;863:18 farming (13) 838:17;839:13,22; 840:10,15,21;841:21, 23;857:22;858:7,12, 20;863:21 farm-raised (1) 801:2 farms (3) 861:22;869:9; 879:10 fashion (1) 810:2 fast (3) 814:5;827:19; 867:13	faster (1) 875:11 father (1) 817:13 favor (3) 845:20;850:11; 857:21 favorite (2) 816:19;862:12 fear (1) 859:24 fears (1) 861:14 feature (1) 846:5 February (1) 797:15 feces (1) 855:17 feedback (1) 813:10 feeders (1) 849:5 feel (8) 796:24;797:3; 822:21;824:6,9; 840:20;869:2;889:10 feeling (3) 823:21;838:20; 886:9 feels (1) 847:21 feet (9) 818:24;853:9; 874:16;875:7;876:1; 885:13,18;886:2,19 felt (1) 840:24 few (8) 801:16;828:16; 849:2;880:7,24; 883:19;884:3;887:13 field (1) 822:6 fighting (1) 860:11 figure (2) 796:16;812:5 figured (1) 825:8 figures (2) 818:22;821:13 File (3) 794:9;853:11,12 filter (2) 848:21;849:5 fin (4) 852:2;853:4,9; 865:21 finally (6) 823:24;855:21; 856:6;871:19;880:7; 883:17	financial (1) 889:2 find (11) 798:1,10,16; 800:17;801:3;802:19; 817:2;823:23;830:17; 844:6;858:13 finder (1) 873:22 finding (1) 864:5 findings (1) 821:12 fine (1) 864:15 fingernails (1) 834:10 finite (1) 866:8 first (30) 794:14;795:4; 799:8,21,22;805:15; 813:1,15,23;821:15; 823:12,13,19;824:16; 825:14;834:20;836:2; 838:9;841:2;843:4; 844:21;847:12,15; 856:13;860:15; 862:23;865:4;869:24; 871:12;886:12 firsthand (1) 836:19 first-time (1) 871:13 fish (14) 815:18,19,22; 825:21;852:3;853:13; 861:11,22;862:4; 868:3,7,11,11;888:8 Fisheries (3) 829:23;853:2; 868:23 fisherman (3) 852:2;865:21;868:3 fishermen (1) 853:9 fishing (12) 800:8;814:19; 828:12,22;835:22; 839:4;841:6;853:4; 861:4;863:18;868:9; 881:12 fit (1) 850:5 five (4) 796:23;819:20,21; 868:18 flats (3) 826:4,6;868:11 floating (6) 794:10;802:14,18; 829:11;855:19; 887:15
F				

<p>floats (1) 887:14</p> <p>flying (2) 858:3,4</p> <p>focused (1) 880:15</p> <p>focuses (1) 843:24</p> <p>folks (5) 798:22;817:16; 868:19;885:24; 890:16</p> <p>follow (1) 890:21</p> <p>followed (2) 797:11;886:4</p> <p>following (3) 800:6;808:2;874:9</p> <p>fond (1) 859:23</p> <p>fondly (1) 824:11</p> <p>food (5) 851:6;860:11; 861:19,21;862:6</p> <p>foot (2) 810:5;817:3</p> <p>footing (1) 807:24</p> <p>footprints (1) 852:6</p> <p>forced (1) 883:10</p> <p>forever (6) 852:8,9;853:20; 854:19;868:16; 876:19</p> <p>forget (2) 810:17;876:16</p> <p>forgotten (1) 824:3</p> <p>form (3) 819:24;834:4,20</p> <p>formed (1) 833:18</p> <p>forth (4) 820:13;844:11,12; 887:14</p> <p>fortunate (1) 880:8</p> <p>forward (4) 802:21;823:18; 827:19;840:8</p> <p>fostering (1) 873:4</p> <p>found (5) 818:3;821:11; 879:14;891:22;892:7</p> <p>four (4) 807:12;808:6,22; 874:1</p> <p>frame (1) 825:11</p>	<p>Frank (3) 878:6,7,9</p> <p>frankly (2) 843:22;879:12</p> <p>free (1) 867:23</p> <p>freedom (2) 867:6;869:12</p> <p>freely (1) 881:19</p> <p>frequently (5) 805:9;860:19; 881:4,10,11</p> <p>fresh (3) 840:2;862:14; 863:15</p> <p>friends (7) 817:20;824:1; 827:4;844:3;862:14; 871:3;873:19</p> <p>friendship (1) 854:5</p> <p>front (9) 811:16,19,21; 816:2;824:11;839:21; 872:24;881:6,7</p> <p>fruits (1) 812:15</p> <p>full (4) 797:9,11,13;804:23</p> <p>full-time (4) 813:23;814:14,16; 817:21</p> <p>fun (8) 815:15,15;816:3; 826:2;829:7;830:21; 857:24;866:20</p> <p>function (1) 856:20</p> <p>functional (1) 887:18</p> <p>funny (1) 834:11</p> <p>further (6) 806:6;821:13; 834:21;864:3;876:22, 23</p> <p>Furthermore (1) 826:17</p> <p>future (5) 830:22;835:17; 836:8,15;862:1</p>	<p>817:7,13</p> <p>gasoline (1) 873:21</p> <p>gate (1) 866:11</p> <p>gave (2) 817:10;891:21</p> <p>gear (4) 794:11;802:14,18; 855:19</p> <p>general (2) 829:3;852:22</p> <p>generally (1) 879:11</p> <p>generated (1) 854:11</p> <p>generation (5) 825:19,19;830:18, 18,22</p> <p>generations (7) 807:12;808:6; 819:5;830:6;835:17; 836:15,16</p> <p>gentleman (3) 802:3,6;887:21</p> <p>gets (2) 843:23;871:1</p> <p>gift (1) 817:10</p> <p>girl (1) 835:18</p> <p>girls (2) 825:21;830:20</p> <p>given (5) 812:7;818:23; 880:20;882:19;891:2</p> <p>gives (1) 796:24</p> <p>giving (3) 823:1;829:1;873:1</p> <p>glacial (1) 866:6</p> <p>glacier (1) 866:7</p> <p>glad (1) 825:1</p> <p>global (1) 862:3</p> <p>globally (1) 860:14</p> <p>goal (1) 852:23</p> <p>goes (5) 810:21;824:13,16; 829:4;853:15</p> <p>goings (1) 874:19</p> <p>Gomez (7) 794:22,23,23; 891:17,18;892:4,12</p> <p>Good (24) 794:3;795:9,11; 796:10,13;800:1;</p>	<p>803:6,7;805:19; 806:21,22;812:23,24; 818:7;837:18;843:2; 847:17;849:21;851:2; 858:19;871:17; 872:12;878:18; 888:16</p> <p>governor (1) 854:14</p> <p>grade (1) 869:4</p> <p>graduate (1) 834:12</p> <p>grandchildren (2) 817:9;819:3</p> <p>grandkids (1) 807:18</p> <p>grandmother (1) 814:13</p> <p>grandparents (3) 812:13;813:15; 817:8</p> <p>grandparents' (1) 813:20</p> <p>grandson (3) 815:17;844:12,20</p> <p>grant (1) 839:12</p> <p>granted (1) 874:10</p> <p>grasp (1) 892:10</p> <p>grass (1) 877:11</p> <p>great (21) 799:6;803:17,19, 21;810:7;814:23,23; 815:24;819:4;829:21; 849:8,20;850:10,13; 857:19,20,24;859:10; 870:2;887:6,17</p> <p>greatest (3) 804:3;815:7,7</p> <p>greed (1) 818:8</p> <p>greedy (1) 837:8</p> <p>green (1) 854:16</p> <p>Greenwich (1) 834:13</p> <p>grew (3) 834:3;861:9;864:21</p> <p>grind (1) 868:21</p> <p>groceries (1) 863:6</p> <p>grocers (1) 801:5</p> <p>grocery (1) 863:7</p> <p>Grossman (2) 878:11,12</p>	<p>group (5) 808:8,9;809:20; 850:5,6</p> <p>grow (6) 801:21;812:8; 835:19;860:11; 861:21;862:6</p> <p>grower (1) 853:17</p> <p>growing (3) 807:17;850:20; 861:19</p> <p>grown (4) 835:10,21;849:2; 861:13</p> <p>growth (3) 804:10;862:2;889:1</p> <p>guess (2) 869:23;891:4</p> <p>guests (3) 807:21,22;809:12</p> <p>guidelines (3) 820:18;821:7,12</p> <p>gut (2) 808:13;809:13</p> <p>guys (9) 821:11;823:5; 833:4;847:16;848:21; 865:5,14;869:7,16</p>
H				
<p>habitat (2) 855:16;877:11</p> <p>habitats (1) 835:4</p> <p>hair (1) 834:10</p> <p>half (2) 802:4;867:23</p> <p>halfway (2) 798:7;846:3</p> <p>hand (21) 797:24;806:19; 831:9,10,14,19;832:7, 8,15;833:1;842:7,14, 22;847:14;857:8,11; 869:21;878:3,8,13; 884:13</p> <p>handful (1) 802:17</p> <p>hands (1) 878:8</p> <p>hanging (2) 800:10;844:5</p> <p>happen (9) 802:7;810:15; 826:22;828:16; 829:14;856:1;883:2; 886:10;888:18</p> <p>happening (4) 802:5;828:17; 836:10;877:12</p>				

happens (1) 868:3	892:7	838:10,10,12,14; 840:7,9;873:3;888:22	810:1,1,3;812:18	799:7;882:16
happily (1) 854:20	helps (3) 850:11;856:4;892:9	hour (2) 891:12,14	implications (1) 877:14	indicates (1) 885:13
happy (5) 824:5;831:2; 892:22,24;893:1	heritage (1) 837:6	hours (8) 803:15;823:22; 827:4;828:3;855:7; 861:4;874:21,24	importance (10) 827:7;840:21; 851:6;860:4,10; 861:10,18,24;863:21; 864:4	individual (6) 801:21;809:18; 811:8;820:20;845:20; 846:7
Harbor (3) 854:23;884:24; 886:6	Hi (11) 796:7,8;803:6; 806:15;823:5;833:2, 4,7;847:15;859:8,10	house (17) 811:12,19;813:21; 814:3;849:16;859:15; 866:13,16;870:6; 872:24;874:16;875:7, 9;876:2;881:7;883:4; 885:2	important (18) 806:1;823:9; 827:20;829:5;835:15; 840:3,3,5,24;841:5; 843:8;851:7;860:17; 861:16;862:5;865:6; 873:5;888:19	individually (1) 890:19
hard (2) 812:13;885:17	high (6) 821:9;852:4; 855:21;875:22;886:2; 887:16	houses (1) 848:23	importantly (2) 812:16;825:22	individuals (2) 804:17;831:16
harm (1) 876:4	higher (1) 836:2	Howard (1) 878:24	impractical (1) 844:16	industrial (2) 874:15;875:14
harsh (1) 856:3	hill (1) 874:7	huge (9) 801:17;802:10; 809:21;814:6;849:5; 857:18;871:13;879:8, 9	improve (1) 863:18	industry (9) 838:12,17;839:4, 23;840:7,8;841:6; 842:1;889:8
hatch (1) 868:3	hindered (1) 875:24	humble (1) 839:9	inaccuracies (2) 802:19,22	infant (1) 879:24
hate (1) 865:19	history (2) 837:6;870:22	humbly (1) 877:18	inaccurate (1) 802:15	infinite (2) 889:6,6
head (2) 867:22;875:7	hold (2) 815:2;892:8	hundred (2) 805:15;816:21	inappropriate (2) 880:18;883:16	inflatable (1) 885:4
heading (1) 876:2	hole (1) 866:7	hundreds (12) 807:21,22;809:11, 12,23,23,23;812:12; 827:5;876:5,7;884:1	inch (2) 815:4;823:14	influence (1) 836:4
heads (1) 867:14	home (22) 811:16;812:14; 815:13;823:11;824:7; 825:18;827:3;833:10, 10;858:16;870:5; 872:17;876:2;878:24; 880:8,9,10,11;881:6; 882:23;883:8;884:1	humble (1) 839:9	inches (1) 853:10	influences (1) 851:3
hear (23) 800:2;805:2; 806:22;809:2;818:16; 823:5;838:19;843:2; 856:18;857:16;859:8, 9;864:15;869:24; 872:6,7;875:6; 878:18,19;884:18,21, 22;885:9	homeowner (1) 802:15	hurting (1) 848:5	includ (1) 891:23	influx (1) 889:6
heard (12) 809:8;817:1,16; 827:1,24;838:8; 843:21;844:17;881:7; 882:16;884:23;885:7	homeowners (4) 853:23;875:10; 880:16;883:19	husband (12) 803:24;813:6,8; 814:15;815:4,17; 816:17,20;825:17; 861:10;862:22;870:4	including (3) 808:16;861:11; 880:4	infringement (1) 818:6
hearing (8) 803:16;820:4; 833:8;844:14;882:4, 16;892:6,16	homes (3) 808:4,11;828:15	husband's (1) 805:20	inconsistent (1) 843:22	initial (1) 819:17
hearings (2) 813:13;817:1	honestly (1) 871:4	I	incorporated (1) 841:3	initially (1) 860:20
heart (4) 818:12;824:20; 827:21,22	hooded (1) 853:13	idea (2) 835:8;891:19	increase (6) 801:11;808:19; 809:6,15;810:16; 872:21	injury (1) 875:22
heartfelt (1) 838:2	hooked (1) 853:13	illness (1) 863:1	increased (5) 801:19;812:11; 829:17;845:6;861:15	inner (1) 834:6
hearts (1) 830:17	Hooper (7) 864:9,11,14,16,18, 19;869:18	Imagine (2) 813:17;814:3	increases (1) 804:10	inspect (1) 853:24
Hello (3) 857:14;884:17,20	hope (10) 803:2;818:6,11; 836:9;850:10;864:4; 871:8;887:24;888:3, 20	impact (7) 806:6;818:12; 845:2,10;855:20; 868:20;882:13	including (3) 801:2,6,22	instance (1) 812:17
help (10) 830:14,17;843:8; 856:8;863:17;864:4, 6;865:9;887:9;889:17	hopefully (1) 860:5	impacted (2) 808:8;855:17	incredible (1) 868:4	instead (1) 856:6
helped (2) 833:18,21	hoping (2) 817:6;853:11	impair (1) 812:12	independent (2) 868:18,21	Institute (1) 863:16
helpful (3) 885:21;891:23;	horned (1) 874:11	impaired (1) 812:15	independently (1) 843:12	insults (1) 887:2
	Hospital (1) 804:15	impairment (4)	indicate (3) 831:14;856:20; 890:8	intelligence (1) 887:2
	Hospitality (8)		indicated (2)	intended (2) 839:14;883:6
				intensity (2) 821:8,10
				intent (1) 812:8
				interest (3) 837:8;888:19;889:2
				interested (1) 890:14
				interesting (1) 869:14

interests (1) 876:11	Jackson (2) 813:20;814:13	jumps (1) 840:19	795:1;804:15; 853:21;868:17	Latham (9) 806:16,21,24,24; 807:9,9;812:21; 819:4;883:18
International (1) 863:16	Jacques (1) 835:19	jutting (1) 811:21	knee (1) 800:9	Lathams (4) 807:12;808:17; 813:16;815:5
interveners' (1) 796:11	Jane (3) 812:22;813:6; 818:20	K	knowing (3) 826:11;860:8,15	Latham's (1) 876:11
intervenors (2) 843:10,20	Janice (6) 856:18,18,23; 857:1;869:20;870:4	Karl (2) 857:5,7	knowledge (2) 820:12,14	Laura (1) 795:20
intimate (1) 820:11	January (1) 890:11	kayak (6) 815:17,18;825:22; 826:6;848:6;873:22	known (2) 838:18;840:12	lawyer (2) 852:20;875:16
into (32) 797:14;803:2; 810:21;815:20;820:1, 3,14;821:5;822:6,10, 18;823:20;827:14; 830:10;838:17; 839:14;844:23; 848:23;849:7;850:24; 866:12;867:14;872:2; 874:11;875:19; 876:23;877:7;883:7, 11;884:2;889:4;891:6	Jeffrey (1) 795:5	kayaked (1) 804:6	knows (6) 828:5,6;832:10; 835:17,20;886:24	lead (1) 834:19
introduce (2) 794:15;795:4	Jellyfish (2) 804:10,14	Kayakers (1) 883:10	Krekorian (1) 884:11	leads (1) 848:23
introductory (1) 796:17	Jennifer (2) 794:4,16	kayaking (7) 800:8;816:4,4; 861:5;872:22;880:5; 881:9	L	learn (2) 834:8;839:8
invasive (1) 849:11	Jess (1) 825:7	kayaks (3) 823:22;827:11; 849:17	labor (1) 812:15	learned (10) 810:5,5,6;825:19, 20,20,21,22,23;839:6
investing (1) 877:22	Jessica (1) 825:12	keep (17) 796:22;798:21; 820:19,23;821:1,5; 822:18;827:9;830:17, 20;843:6;849:9; 851:8;863:12;867:4, 23;880:15	laid (1) 817:18	learning (3) 834:9;839:11; 850:14
invited (2) 853:23;854:1	jet (14) 800:9;824:15; 827:11;848:5;850:2; 857:23,24;858:3,5; 866:21;867:12; 872:22;880:23;881:1	keeper (1) 866:11	Lake (2) 876:12,15	lease (23) 850:19,19;851:22, 24;852:7,10,11,11,13, 14,20;853:10,14,16; 854:7,21;855:5,8,12; 856:3,13;879:5;883:5
involved (2) 888:4;889:2	Jim (2) 795:7,9	keeping (1) 851:6	laments (1) 853:22	leased (1) 816:23
Island (51) 794:7;801:1,7,11; 813:18;820:17,20; 821:3,4;825:13; 829:23;833:9;834:2, 23;835:5,24;836:8, 14;838:5,14,15,15; 839:4,6,13,21;840:1, 11,23;850:21;851:7, 21;852:11;859:13; 860:12,14;862:7,18; 867:1,3;870:11,16; 871:19;873:4,9; 879:16,18;880:9; 887:17;888:12;889:8	job (5) 845:13;849:21; 850:10,14;851:9	keeps (2) 805:2;865:15	land (7) 852:2,16;854:24; 855:3,5,11;856:7	least (5) 794:13;819:11; 820:2;828:9;891:12
Islanders (3) 835:12;865:13; 867:6	Joel (2) 818:15,20	key (4) 819:15;820:13; 854:16;860:5	landings (1) 876:15	leave (3) 837:1;869:3,12
issue (8) 799:2;812:16; 814:18;845:6;848:13; 850:9;851:5;865:6	John (2) 884:11,12	kid (2) 810:21;869:3	landowner (1) 855:10	leaving (1) 815:11
issues (2) 803:19;875:19	John (2) 884:11,12	kidney (1) 862:23	lands (1) 835:8	led (1) 836:2
J	join (2) 859:11;864:8	kids (13) 807:11;810:6,9,9, 12,12;814:7;815:22; 827:14,18;829:6; 830:21;867:15	lane (1) 853:13	left (3) 866:7;867:10; 888:10
jackets (1) 873:22	joined (3) 806:15;859:20; 860:2	kill (1) 826:20	larger (2) 806:4;821:2	legal (5) 796:16;799:1; 806:15;817:13,13
	joining (1) 796:17	kind (14) 811:21;826:12; 827:17;828:22;844:9; 865:15,18;885:17; 886:24;887:12,14,22; 889:2;891:22	Larned (1) 832:11	leisurely (1) 844:5
	joins (1) 832:4	kindly (1) 860:22	last (21) 796:20;799:2; 801:16;804:5,9; 807:16;808:16; 813:11;816:20;827:4; 842:16,17;847:12,14; 849:2;862:8;872:18; 875:5;877:16;880:23; 892:5	less (10) 845:2;858:4,18,18, 19;874:7,8,16;876:1; 877:8
	Joni (1) 869:6	kinds (2) 828:10;840:18	Lastly (1) 876:3	lessened (2) 849:1,3
	Josephine (2) 859:6,12	Kingstown (4)	late (1) 809:4	lethal (2) 876:4;877:19
	Journal (1) 804:17		later (6) 798:9;804:16; 814:12,14;832:4; 874:24	letter (2) 853:10;868:19
	joy (3) 804:3;815:3;818:6			letters (2) 813:12;830:3
	Judith (6) 866:10,13,23; 867:1;882:9;887:16			level (6)
	July (1) 804:12			
	jump (2) 815:14;823:20			
	jumping (2) 814:7,9			

801:8,15,17; 845:18;849:4;855:22 license (1) 816:18 lieu (1) 891:1 life (12) 815:3;817:11,20; 818:2,2;823:17; 824:4;827:16;833:14; 834:7;863:1;873:22 lifeline (1) 863:4 light (1) 865:23 lightly (1) 881:24 lights (1) 875:3 likely (1) 797:14 limit (2) 805:6;877:5 limited (5) 804:20;809:19,20; 877:2;882:13 limits (1) 826:8 line (4) 832:11;843:19; 868:15;885:20 lines (1) 873:6 lining (2) 866:2,3 Lisa (4) 795:18;796:2; 799:17;891:20 list (29) 796:18;797:22; 798:1,21;799:8,9,14, 15,16,17,19;806:18; 831:8;832:13,21; 842:9,15,21;847:3,12; 851:17;868:13;878:4, 9;884:14;890:5,17,21, 24 listen (1) 869:15 listened (3) 827:24;838:1;867:8 listening (3) 803:15;826:23; 830:23 Literally (3) 807:22;816:20,22 little (11) 797:20;805:2; 807:3;811:19;815:21; 823:8;835:18;838:7, 19;867:2;887:2 live (14) 815:9;817:12;	836:13;843:15; 847:22;851:21; 857:17;859:12;861:3; 862:11,15;870:7; 884:24;886:1 lived (6) 801:10;814:13; 817:23;828:1;859:15; 864:19 livelihood (1) 867:5 lives (7) 807:10;811:12; 818:12,13;824:1; 870:8,11 livestock (1) 855:18 living (4) 814:21;816:8,10; 819:1 lobster (1) 861:12 lobstering (1) 814:19 local (9) 820:14;829:24; 840:2;841:8;845:13; 850:11;851:6;863:19; 873:13 locals (4) 820:12;826:5,11; 829:4 located (5) 859:13;860:18,21, 23;873:2 location (12) 811:5,5;812:5; 827:21;828:5;848:10; 850:9;868:14;873:17; 874:2,6,12 locations (3) 825:16;861:8; 862:20 Lockwood (9) 842:5,6,10;847:5, 15,15,16,18;851:13 Loiselle (8) 799:7;856:18,23; 869:19,22;870:2,4; 872:4 long (9) 800:19;803:1; 804:22;812:10; 848:17;857:20,20; 873:5;887:7 longer (3) 856:14;870:15; 874:13 long-time (1) 838:3 look (13) 823:18;826:13; 830:10;837:10;840:8,	20;865:5;870:24; 871:3,9,12;888:8; 891:22 looked (3) 811:9;813:18; 853:11 looking (8) 799:9,10;812:1; 849:6;851:16;858:2; 867:11;874:1 looks (2) 857:2;889:19 lose (2) 829:5;832:5 loses (1) 856:3 losing (2) 820:5;824:22 lost (1) 884:4 lot (32) 802:24;809:14; 811:2;812:13;814:18; 816:3;820:24;822:9; 843:23;845:14; 847:18;848:19,20,22, 22;849:23;850:2,3, 23;858:24;865:14,19; 866:23;869:8,9; 881:6,8;886:12,15,16; 888:21,24 loud (3) 826:19,24,24 love (17) 811:10,11;815:20; 817:8,9,9;824:5,10, 22,23;830:19;836:1; 840:2;861:13;866:2; 868:15;880:10 loved (2) 817:8,15 low (8) 821:8,10;855:21; 886:2;887:23,24; 888:1,2 lucky (1) 862:11 lunch (1) 863:14	819:7;850:9;851:4 major (4) 816:2;829:9; 877:10;885:11 majority (2) 805:17;883:19 makes (3) 798:1;824:9;858:11 making (7) 806:1;817:24; 823:24;824:3;831:1; 843:11;884:6 Management (4) 794:5,8;837:23; 838:11 man's (2) 817:22;818:3 many (56) 803:21;804:3; 805:8,12;808:14; 811:15,15;813:24; 814:13;815:16;816:7, 8;817:5;818:8;822:5; 824:13,19;826:3,11; 830:6;833:17;836:19; 839:5;840:12;841:17; 844:19;845:11;853:7; 856:15;859:20;860:6; 861:4,4,14;862:19,19; 863:13,19,23;864:22; 866:10;871:24;875:9, 15;876:9;877:6,14,20, 21;880:22;883:21,24; 884:24,24;888:9; 889:13 maps (1) 818:22 March (1) 863:3 marina (3) 847:19;854:23; 865:1 Marine (3) 829:23;853:2; 870:17 Mark (6) 806:16,17,18,24; 807:9;885:12 market (1) 838:13 married (1) 807:11 Maryland (1) 866:1 masks (1) 863:7 master's (1) 833:23 matter (2) 843:11;844:22 Matthew (4) 799:8,20;800:2; 842:20	Matunuck (18) 800:5;802:16; 803:21;804:2;813:8; 815:10;825:13;827:2; 829:13;834:22; 838:16;847:22; 856:11,14;859:14; 860:13;863:22;873:6 Matunuck (9) 801:15,19;822:12; 823:11;826:3;836:14; 841:5;859:13;879:8 maximum (1) 796:24 may (13) 794:13;799:3; 804:19;816:10; 821:19;831:15;832:2; 855:16;861:24; 867:17;868:4;875:12; 885:8 maybe (6) 826:18;835:18; 849:7;884:1;885:20; 891:12 Mazza (1) 878:6 meal (1) 803:21 mean (9) 828:13;833:21; 850:12;851:2;867:13, 16,24,24;875:1 meaning (1) 865:8 means (1) 836:13 measure (1) 886:3 measured (1) 886:9 measurement (1) 885:19 measurements (2) 885:16,18 medications (1) 862:24 meet (3) 801:2;861:20;879:7 meeting (14) 794:6,12,14; 797:12,19;806:15; 853:7,23;890:4,11,20; 891:3,5,11 meetings (3) 853:8;859:21; 889:16 Melissa (3) 878:1,2,3 Member (3) 794:21,24;825:7 members (9) 794:15;807:15;
		M		
		machinery (1) 874:18 Madam (22) 795:6,9,22;796:1; 797:23;798:13;831:7, 15;832:8,16;842:10, 15;846:9;847:4; 851:17;857:11;878:4, 14;884:14;890:12; 892:18,20 main (3)		

808:6,14,14,16; 819:16;820:3;890:13 memories (13) 814:10;815:7,16; 817:5,20;818:2; 823:12;824:3,11,14; 829:8;830:21;859:23 memory (1) 817:4 men (2) 814:5;837:8 mention (2) 886:11;891:18 mentioned (7) 802:6;861:3,17; 863:19;868:19; 873:14;887:20 mentions (1) 802:13 message (1) 891:19 met (2) 811:9;880:1 metal (1) 877:17 mid (1) 871:1 mid-afternoon (1) 871:2 middle (5) 809:1,7;854:18; 865:24;881:22 midnight (1) 875:3 might (7) 811:17,24;824:21; 871:6;882:17;885:21; 887:3 milk (1) 863:6 million (1) 854:13 mind (6) 819:15;820:19,23; 821:5;822:19;853:15 Mine (1) 852:6 minimal (2) 849:13;855:6 minimum (1) 822:8 minute (4) 803:8;805:1; 815:13;836:22 minutes (7) 796:23,24;798:9; 807:1;856:14;889:20, 23 miscalculation (1) 877:10 mispronounced (1) 842:12 missed (1)	885:9 mission (1) 865:10 Mitchell (1) 869:6 mitigate (1) 856:4 moderator (2) 795:24;797:16 mom (2) 827:22;830:19 moment (2) 824:7;856:23 moments (2) 818:2;823:16 moms (1) 829:8 monetary (1) 854:10 money (4) 838:21;852:8; 854:11;888:16 monitor (2) 876:21;877:2 Monte (1) 853:3 months (6) 810:7;825:15; 855:22;863:10; 872:20;881:12 Moore (1) 797:16 Moore's (1) 797:18 mooring (3) 822:6;833:12,13 moorings (1) 822:7 more (51) 798:20;806:4; 812:16;814:17,18; 817:4,7;818:5;819:8; 822:9;823:11,18; 824:6;825:17;828:20; 829:16;836:10;849:3, 14,17;857:22,23,23; 858:4,5,6,7,12,19; 859:2;861:22;862:22; 863:21;864:1;869:8, 9;873:15,15,20; 875:13;881:13; 883:11,12;889:3,4,4, 20;890:10;891:12; 892:2,11 morning (22) 794:3;795:9,11; 796:10,13;799:18; 800:1;803:6,7; 806:21,22;807:14; 809:4;812:23,24; 837:18;838:1,8; 843:2;871:1,1;875:2 most (7)	824:23;825:22; 829:5;840:24;862:8; 881:19;888:24 mostly (3) 870:13;877:20; 885:3 mother (1) 829:19 motivation (1) 838:21 motor (2) 881:2;886:21 motorboat (3) 870:23;881:17,18 motorboating (2) 880:4,21 mouth (1) 858:1 move (4) 825:8;831:12; 842:18;878:5 moved (3) 813:22;814:16; 874:5 moving (5) 800:22;802:1; 832:5,14;872:5 much (38) 803:3;812:20; 813:2;814:17;815:15, 15;816:3;817:7; 818:18;819:2,8; 820:5;821:17;822:4; 826:8;834:17;839:6; 842:3;843:19;849:7; 850:14;851:12; 857:21,22;858:6; 863:21;864:23; 869:22;870:3;872:12; 877:9;878:22;881:13; 882:6;883:11;884:9; 885:6;889:18 mud (1) 834:9 multiple (3) 861:7;873:24;882:3 Murray (4) 795:1,2,2;799:19 music (2) 826:19,24 must (9) 813:14;861:20; 862:16,24;873:20,24; 876:1,4;877:13 mute (2) 798:8;846:21 myself (6) 794:15;843:17; 844:2;865:9;881:14; 886:9	name (24) 794:4;800:1; 806:24;813:6,20; 818:20;823:7;825:12; 828:19;832:17,17; 833:8;842:17,17; 847:12,14;851:20; 859:12;864:19;870:4; 872:13;878:14,21; 884:14 narrow (3) 805:7;829:11;845:8 national (1) 877:11 nationally (1) 873:12 native (1) 856:12 natural (8) 804:1;834:1,9; 837:2,4,5;838:4; 856:9 nature (2) 825:24;836:13 navigable (3) 844:1;871:16,17 navigate (1) 853:14 navigation (1) 882:7 navigational (1) 805:16 near (5) 849:23;853:16; 875:23;884:24; 887:16 nearest (2) 885:18;886:5 necessary (1) 850:22 need (17) 797:1,18;800:23, 24;804:23;818:5,5,8; 827:12,14;832:21; 844:9;851:8,8;858:5, 6;877:19 needed (3) 815:4,13;863:11 needs (2) 800:23;873:8 negative (2) 851:3;868:20 negatively (1) 855:17 neighbor (1) 857:20 neighborhood (1) 859:13 neighbors (3) 803:19;847:24; 871:18 nephews (1) 829:20	nepotism (1) 851:22 nervous (1) 823:8 Nessa (2) 832:23,24 nest (1) 826:1 nets (2) 826:12;829:10 new (22) 800:24;816:23; 821:1,1;823:23; 824:9;827:20;828:4; 841:7;845:19;848:20; 860:18,20,22;862:15; 864:7;874:5,9,12; 892:22,24;893:1 Newport (5) 838:10,10;873:3; 888:23;889:9 next (14) 798:3;803:5; 806:16;807:1,19; 812:22;832:23; 835:19;842:5;847:2; 851:18;864:10;878:1; 890:20 nice (3) 816:5;848:16;889:5 nieces (1) 829:20 night (3) 799:2;804:14;809:4 nine (4) 808:22,23;887:11; 890:5 nine-year-old (1) 844:20 Ninigret (3) 854:23,24;858:15 Nobody (2) 848:4,6 noise (7) 806:10;829:17; 858:18;874:17,18; 875:8,11 non-committal (1) 874:21 non-conductive (1) 855:23 None (2) 855:14;892:16 non-regulatory (1) 821:12 non-represented (1) 852:20 non-riparian (2) 852:1,19 Nonviolence (1) 863:16 noon (5) 852:4;865:21,22;
N				

871:5,5 Noonan (7) 796:9,10;874:2; 891:4,9,14;892:24 normally (1) 797:16 north (5) 805:22;822:7; 828:17;850:6;883:4 northeast (1) 809:7 northern (8) 822:15;844:14; 864:23;866:18; 877:16;880:6;882:6,8 note (4) 798:16;806:14; 889:24;891:19 noted (1) 847:5 notice (1) 846:4 noticeable (1) 871:17 noticed (2) 826:3,7 November (2) 819:12;820:8 Number (16) 794:9;804:17; 807:23;808:17;812:2, 6;813:12,17;816:17; 831:20;838:2;852:22; 882:19;889:6,24; 892:6 numbers (4) 814:21,22;815:19; 818:11 nutshell (1) 859:2	876:9 obtaining (1) 801:13 obviously (2) 863:1;870:20 occasion (1) 812:6 occasionally (3) 800:15;881:12; 883:23 occur (1) 805:10 occurred (1) 804:11 occurs (1) 880:14 ocean (3) 835:13,14;866:22 October (1) 886:14 off (31) 798:8;803:8; 810:19;814:9;815:15; 819:20,21;823:20; 826:8,24;827:7,10; 840:12,13,19;844:22; 846:21,22,24;848:4,4, 6;854:4;864:18; 867:14,17;868:13; 871:3,22;886:22; 887:4 offer (2) 825:24;891:1 offered (3) 816:8;829:15; 860:22 often (3) 844:5,13;881:5 old (7) 799:17;807:10; 825:15;848:22,22; 857:18;887:7 Once (8) 797:5;826:18; 830:12;834:17; 852:16;855:23; 883:22;888:13 one (78) 794:13;799:17; 800:13;801:1,3,20; 802:2;805:1,11; 809:17,18;810:18; 811:7;813:13,23; 815:21;816:18;817:2, 4,21;818:3,8;819:19, 21;821:23;823:24; 826:17;828:16;829:2; 831:20;834:7,13; 840:1;841:13;844:13, 17;845:2,20;846:17; 848:11;850:5,5; 851:5,22;852:13; 853:15;860:24;	862:23;863:13;864:2, 22;865:13;866:3,9; 867:14,17,21;868:23; 869:3;871:12,23; 872:1;876:21;877:7, 11,14,20,21;882:17, 18;884:3;885:9,11; 886:13;887:1;888:11; 890:10;891:20 ones (3) 819:12;885:11; 890:17 online (1) 873:12 only (25) 801:14;805:21; 817:2;829:16;838:22; 841:5,13;843:24; 845:2;851:10;852:13; 859:15;860:24;863:9; 864:2;866:5,18; 872:15;874:22; 875:15;882:4;883:21; 885:7;886:8;889:11 onto (1) 821:11 onus (1) 852:15 open (6) 804:22;835:10; 850:20;867:23; 872:19;874:13 opening (1) 805:2 operated (1) 808:23 operating (1) 808:24 operation (8) 845:12;871:9; 874:4,16,20,22;875:9; 876:20 opinion (5) 809:22;810:15,24; 811:4;834:4 opportunities (2) 813:2;882:21 opportunity (17) 797:1,2;803:14; 812:19;818:19;823:1; 832:20;835:16; 837:22;842:2;843:5; 850:18;869:23; 878:22;883:9;884:8; 890:3 oppose (3) 829:23;845:22; 873:1 opposite (2) 879:2;882:2 opposition (6) 822:19,20;830:3; 854:7;879:4;885:10	option (2) 828:17;874:13 options (1) 812:1 order (1) 861:20 original (3) 835:3;874:4,9 osprey (1) 826:1 others (6) 808:10;827:14; 845:11;862:19; 875:15;892:8 Otherwise (1) 869:1 ourselves (1) 844:6 out (59) 796:16;798:10; 800:10,13;802:3,14; 805:8;807:13;808:20, 21,24;809:3,6;811:13, 21;812:5;814:7; 819:7,10;822:1; 824:7;829:13;830:20; 839:9;840:14,15; 841:4,8,17,21;844:5, 9;847:13;849:6,22; 850:19;853:16;858:9; 865:2;866:24;867:4; 870:7,22;871:3,4,12, 15;874:3;876:13; 881:13,18;886:6; 888:1,8,15;889:14; 890:13,19;891:15 outboard (1) 886:21 outcome (4) 807:5;809:24; 810:22;869:14 outdoor (1) 801:17 outlet (1) 882:8 outlines (1) 854:8 out-of-state (1) 870:14 out-of-staters (1) 867:7 outreach (1) 795:21 outset (1) 879:5 outside (2) 871:20;883:20 over (39) 801:16;802:24; 803:1,24;807:14,16, 19;808:15;813:11; 815:18;816:19,22; 825:9,16;826:1;	827:15;828:13,14; 830:6;838:18;840:18; 849:11,23;850:2; 854:5;856:23;859:17; 862:23;863:22;867:1, 18;870:6;872:18; 873:6;874:18;875:5, 11;889:12;890:13 overall (1) 883:15 overall (4) 876:7,9,12,14 overlooked (1) 877:8 overlooks (2) 880:11,12 overstatement (1) 807:22 own (18) 801:22;809:18; 818:21;830:13,21; 844:18;855:11; 858:14;860:11; 861:19,21;865:1; 870:4;872:14;878:24; 880:8,8;883:24 owned (3) 819:2;870:6;883:24 owner (2) 852:2;872:1 owners (2) 821:21;822:11 owns (1) 879:22 oxygen (1) 855:22 oyster (38) 794:10;801:10,15, 19;803:20,22;804:19; 805:5;806:7;811:14; 824:9;826:8;828:4; 829:13,14;834:22; 838:16;839:22; 840:15;850:20; 856:11,15;859:14; 860:9,13;862:12,16, 21;863:4,8,22; 871:10;873:2,6; 874:10;875:8;877:7; 879:9 oysters (13) 801:6,21;840:20; 849:4,8;850:14; 853:18;855:17;856:3; 858:20;863:15; 873:11;879:9
O				
object (2) 852:14,18 objected (1) 856:13 objection (3) 851:22;879:12,13 objections (3) 838:20;875:12,13 objects (2) 852:20;873:23 observations (3) 807:3;812:20; 843:18 observe (1) 880:16 observed (1) 876:11 observer (1) 843:18 obstruction (1)				
				P
				packet (1) 853:12 paddle (16) 800:8,16;805:17;

807:24;816:3,4; 823:22;844:3,4; 848:6;849:17;861:5; 870:23;872:22; 873:22;881:9	838:6,15,17; 839:10,19;841:10	percentage (1) 836:12	814:6	822:12;823:2;839:18; 843:24;849:11; 860:15;861:18;862:8; 866:10,13,23,24; 876:13;880:17;882:9, 23;886:5;887:16,16
paddled (1) 804:6	passionate (1) 838:1	percentages (1) 849:12	picture (1) 888:1	pointed (1) 874:3
paddles (1) 873:23	past (6) 825:14;848:18; 866:13,16;874:1; 885:2	perfect (2) 811:13;837:20	pictures (3) 816:17;871:7; 891:23	pointing (1) 800:13
Page (1) 821:14	pastoral (1) 872:19	perfectly (1) 887:18	piece (1) 848:16	points (3) 860:5,8;872:2
pandemic (2) 840:8;862:21	Pat (1) 794:19	Perhaps (3) 805:19;806:4;856:6	pile (1) 867:16	police (1) 865:18
panel (4) 836:17;837:10; 853:2,21	path (1) 874:9	period (1) 826:11	place (24) 805:21;815:9,12; 817:15;822:21;828:7; 830:17,18,19;832:5; 834:23;835:16; 837:12;844:10;854:1; 860:16;862:13;866:5; 868:9;874:15;877:7; 887:3;888:9,11	policies (1) 852:22
paradise (1) 869:8	patio (1) 801:17	permission (1) 873:1	placed (2) 810:1;854:1	pollution (3) 858:18,19,19
paraphrasing (1) 820:10	Patricia (1) 794:20	Perry (32) 794:9;796:6; 834:11,14,15,16,17, 24;835:10,20;836:12; 837:24;838:18,24; 839:2;840:10;841:9, 11,24;847:19;856:12; 857:19;858:12,23; 859:18;860:20,21; 861:23;863:11,24; 871:6;873:2	places (10) 812:2;815:22; 854:18;860:9;866:18; 867:2;868:4;885:5; 888:9,12	pond (128) 802:15;804:4,8,8, 18;805:16,18,21; 806:9;807:6,13,17,20, 23;808:1,3,5,7,12,17, 20;809:1;810:2,5,6,7, 8,16;811:9,12;813:9; 814:1;815:5,20; 816:13;817:16,23; 819:18,22;820:6,22; 823:15,20;824:4,6,9, 20;826:15;828:3,4,13, 23;829:3,10;831:1; 834:18;836:12;838:3; 841:14;843:15; 847:22;848:16,18,19, 24;849:8,11;852:6; 854:23;857:22;858:8, 10,15,17,17;860:18; 861:1,2,2,4,6,6; 864:20,21,23;865:3; 866:5,10,12,12,13,15, 18,19,23,24;867:1; 870:12;873:2;874:13; 876:17;877:10,15,19; 879:3,10,21,23,23,24; 880:4,5,9,10,12,14; 882:1,4,7,9,9,11,22; 883:23;884:3;885:1, 2;887:16
parents (3) 817:7;862:15;876:5	Paul (2) 864:9,19	Perry's (9) 834:13;838:17; 839:8;845:11;849:1; 859:21;863:13;871:9; 873:6	plain (2) 836:6;887:7	ponds (5) 809:13;828:16; 835:3;861:7;866:19
Park (2) 833:10,11	pause (1) 854:14	person (10) 809:17;821:23; 842:23;847:2,22; 853:8;889:14,14,17, 21	plan (3) 839:9;846:20; 891:10	popped (1) 810:19
parked (1) 864:22	pave (1) 869:8	personal (8) 798:23;816:11; 817:5;840:16;859:23; 860:2;862:8;880:22	plane (1) 823:20	popular (2) 871:19;880:23
parking (2) 869:8,9	paving (1) 869:9	personally (4) 801:9;802:4; 849:14;879:9	platform (1) 813:4	population (2) 821:3,4
part (8) 807:9,11;816:14; 817:11;830:14;835:7; 875:18;876:13	peaceful (1) 826:21	persons (1) 818:11	play (5) 820:1;821:5; 826:19;862:3;869:5	populations (1) 862:4
participants (1) 863:15	Peninsula (2) 843:15;870:5	perspective (2) 838:7;860:3	Playing (1) 833:15	portion (1) 849:22
participate (2) 832:10;890:9	people (89) 800:19;802:11; 805:12;808:8;809:11, 20,21;810:11;811:18; 814:4,21,22;817:6,22; 819:5,9,23;820:4,19; 822:2,13;824:13; 826:5;828:14;832:19; 833:17;834:6;835:9; 836:4,20,24;837:11; 840:3,17;841:7; 844:19;848:1,9,14,17; 850:4,16;854:23; 855:8,10;856:15; 858:8,9,9;860:7; 863:22;865:15,17; 866:10,16,19,20; 867:9,11,13;868:1,20; 870:7;871:24;872:21; 875:6,17;876:9,15,17; 881:13;883:22;884:1, 2;886:10,11,12; 887:21;888:3,6,21,24, 24;889:4,4,7;890:1, 23;892:1	phenomenal (4) 817:10;839:5,24; 840:17	pleas (1) 838:1	pose (1) 875:22
participated (2) 800:5;813:12	particularly (8) 798:22;802:3; 812:16;821:22; 836:23;849:15,22	phil (2) 851:19,20	pleasant (1) 844:10	
participating (1) 832:2	parties (2) 814:23;890:14	phone (5) 831:16,17,18,20; 832:2	please (25) 799:23;806:18; 830:5,7,10,16;831:8; 832:7,15;833:1; 842:7,14,22;857:8; 876:7,9,11,14,16; 878:3,8,13;884:13; 890:7;891:10	
particular (7) 798:22;802:3; 812:16;821:22; 836:23;849:15,22	partner (1) 838:11	photographs (1) 892:8	pleasure (1) 879:6	
particularly (8) 809:14;813:9; 815:20;816:1;817:16; 838:13;840:6;870:17	partners (1) 809:19	photography (1) 800:11	plus (2) 833:23;844:10	
partying (1) 828:22	party (1) 828:22	physically (1) 863:9	PM] (1) 893:2	
pass (2) 819:5;856:23	per (2) 817:2;868:2	Pick (2) 811:5;846:22	pocket (1) 838:22	
passed (3) 817:10,13;888:4	percent (15) 805:16,24;819:20, 20,21;841:13;848:3; 860:24;861:2;866:14, 16;875:17;877:5; 882:19;885:8	picnic (1)	point (24) 800:23;802:13; 807:18;819:7,10;	
passing (1) 814:12				
passion (6)				

position (1) 880:7	present (10) 794:18,20,23; 795:10,19;796:1,4; 813:10;873:17;874:2	887:23,24;888:1,2	796:20;797:5,7; 798:15,19;801:20,23; 803:17;825:3;828:23; 830:8,8;833:23; 835:7,8,9,11;843:11, 20,22;845:21;852:12, 14,16,17,19,19,20; 854:6;876:15,24; 891:5,7;892:6	830:12,15;837:1
positioned (1) 802:14	presentations (1) 863:20	profit (4) 835:3;836:24; 838:21;841:1	807:18	quotes (1) 837:3
positioning (1) 858:24	presented (2) 797:13;861:24	profitable (1) 806:5	publically (1) 807:18	R
positive (3) 851:10;856:10; 891:24	preserve (3) 852:23;856:8; 865:11	profoundly (1) 882:7	public's (2) 829:2;876:24	race (1) 867:17
possess (1) 833:23	preserving (1) 835:4	program (1) 867:24	pull (2) 804:24;813:3	races (1) 808:1
possible (6) 798:21;807:7; 842:18;846:12; 852:24;876:4	press (2) 831:19;869:20	project (1) 876:3	pulls (1) 840:19	racks (1) 809:3
possibly (3) 797:6;812:10; 850:14	pretty (9) 801:3,12;807:15; 811:4;822:4;826:8; 847:20;864:23; 888:12	prominent (1) 841:6	punished (2) 850:15;851:1	radius (1) 836:11
posting (1) 798:18	previously (1) 818:9	promoting (1) 841:9	purchase (2) 854:20;863:6	raft (1) 875:19
pot (1) 852:8	primary (1) 852:23	promotion (1) 838:14	purchased (2) 839:15;872:14	rafting (2) 872:23;876:18
potential (7) 805:13;810:17,22; 812:17;850:20;854:6; 860:1	private (1) 830:8	property (15) 803:24;813:15; 818:21;819:2,4; 821:21;822:11;830:8; 855:3,4,11;858:14; 865:1;872:15;879:22	purpose (1) 835:3	rafts (1) 873:22
potentially (2) 844:17;877:19	privatize (1) 801:19	proposal (3) 802:18;845:23; 853:3	put (5) 800:17,21;832:21; 838:21;869:8	Raimondo (1) 854:18
pots (1) 861:12	pro (2) 888:23;889:1	proposed (30) 800:16;803:22; 805:10;807:4;808:19; 809:6,9,15;810:20; 811:1,1;818:24; 826:22;827:20;828:5; 830:10;844:6,15; 849:20;855:4;860:24; 868:19;873:14;879:4; 880:12;881:10; 882:13;883:5,16; 885:12	puts (2) 826:23;854:13	raise (18) 797:24;806:18; 831:9,14,19;832:7,15; 833:1;842:7,14,22; 847:14;857:8;869:21; 878:3,8,13;884:13
Potter (19) 804:4;805:21; 813:9;814:1;819:18, 22;831:1;861:6; 865:3;873:2;877:15, 19;879:21,23;880:9; 882:4;883:23;885:1,2	probably (11) 798:15;800:11; 802:4;816:17;821:4; 828:9;838:18;849:24; 864:18;886:10,13	proposing (1) 800:16	putting (2) 821:24;828:24	raised (2) 870:11;875:20
Potters (10) 824:4;843:15; 848:17,19;864:20; 866:5,12,12,14,24	problem (5) 801:10,13;848:24; 850:7;888:14	pros (1) 817:24	Q	raising (2) 832:7;857:10
Potter's (1) 817:23	problems (3) 856:19,24;866:3	Prospect (6) 804:1;807:10; 813:9;815:10;818:21; 825:16	quadruple (1) 867:22	Ram (2) 867:1,3
powerboats (3) 844:1;857:23;858:6	proceedings (1) 885:8	protect (1) 865:11	quahog (4) 817:2;825:20; 826:6;876:17	Rams (1) 875:7
PR (1) 856:10	process (5) 797:14;803:2; 852:18;854:8;871:8	protecting (1) 862:4	quahogging (1) 839:10	Ram's (1) 872:24
practical (2) 844:15;845:1	produce (2) 801:1;811:7	prove (2) 823:16;852:3	quahogs (2) 816:22;839:10	rarely (1) 828:2
practice (1) 881:20	produces (1) 861:22	provided (2) 796:20;797:2	quarantine (1) 863:3	Raso (31) 794:9;796:6,7; 803:18;811:10;817:1; 822:20;830:12; 835:20;837:24; 847:21;850:13,24; 851:9;854:2,3; 856:12;859:18; 865:21;873:2;874:15, 21;875:21;877:4; 879:7,11,15,17;887:8, 21;888:14
practiced (1) 834:18	profession (1) 833:20	Providence (1) 804:17	quick (3) 807:2;815:13;885:7	Raso's (14) 800:14;811:16,19; 812:8;827:24;829:15; 843:22;856:2;873:14; 874:4,10;875:16; 876:20;877:10
precious (1) 884:4	professional (1) 819:12	provides (2) 840:23;879:18	quickest (1) 846:17	Rasso (1) 857:19
predicament (1) 848:1	professionally (1) 838:18	public (36) 794:12;795:21;	quickly (1) 846:23	rather (1) 822:13
prefer (1) 858:6	profile (4)		quiet (3) 841:19;872:18; 881:21	raw (1)
preponderance (1) 870:10			Quigley (6) 872:5,6,9,12,13; 877:24	
prerogative (1) 888:16			quite (6) 826:9;849:7;881:6, 15,22;882:2	
			quote (5) 800:15;808:21;	

862:17 Raymond (2) 794:17,18 reach (2) 890:13,19 read (1) 867:8 readily (1) 892:11 real (5) 812:17;826:13; 828:19;861:14; 886:22 realization (1) 860:8 realize (2) 841:7;849:7 really (59) 803:17;805:4,19; 806:11;811:21;813:5; 814:5,20,20;816:5; 817:11;825:17,23; 826:2,2,20,23;827:2, 13,21;829:8,11; 833:18;835:1;836:10, 16,18,18,24;837:10, 21;838:4;839:17; 840:1,8,10,21,22; 841:9,10,21;842:2; 844:24;845:4;850:7; 858:21,21;861:16; 865:5;866:4;867:19; 879:18;882:4,7; 887:6,13,18;892:2,9 reason (8) 835:9,11;838:22; 848:14;862:9;883:15; 886:8;890:18 reasons (1) 800:13 receive (1) 891:20 received (3) 830:4;832:1;891:20 receiving (1) 831:23 recent (2) 862:3;863:16 recognize (3) 835:15;843:7; 847:18 recommend (2) 848:21;889:15 recommendation (4) 797:9,9,12,14 recommends (1) 869:15 record (5) 800:21;806:14; 843:10;846:24;847:2 recreate (5) 820:5;835:6,16; 866:22;876:16	recreated (4) 817:23;834:20; 835:23;836:1 recreating (3) 814:22;833:16; 875:23 recreation (6) 814:16;821:10; 834:4;836:6;838:5; 876:10 recreational (29) 805:23;806:3,8; 809:17;810:3,12; 822:13;826:15; 827:11;828:2;841:16, 23;852:2,3,9;853:9; 854:9,11,15;856:9; 860:10,17,19;861:8; 871:20;880:3;882:5, 11;884:4 Red (4) 814:15,24;821:13; 852:22 reduce (2) 805:23;883:14 reduced (1) 810:4 reducing (1) 882:24 reduction (3) 875:17;882:19,21 reference (2) 825:12;886:6 references (1) 821:12 reflect (2) 807:4;812:19 reflection (1) 813:11 reflections (1) 811:23 refuge (1) 886:6 refused (1) 812:3 regard (1) 858:5 regarding (5) 851:23;853:3; 860:1,3;861:18 region (2) 841:8;853:1 register (1) 843:8 regularly (4) 809:2;843:17,21; 844:2 regularly-scheduled (1) 797:11 regulations (5) 852:21;853:4,6; 854:9;855:1 regulatory (2)	865:11,15 Reis (1) 796:2 reject (2) 845:23;869:11 relative (1) 881:24 relatively (1) 845:8 relevant (1) 816:10 relies (1) 830:13 relive (1) 824:21 relocate (1) 874:2 reluctant (1) 844:21 reluctantly (1) 879:6 remain (1) 866:6 remaining (2) 888:11;890:16 remarks (1) 796:17 remember (4) 854:19;863:11; 871:4;888:20 removing (1) 830:7 renders (1) 797:8 renewal (1) 852:18 rent (2) 828:15;868:2 repeatedly (1) 804:13 repetitive (1) 843:7 report (1) 867:9 reporter (2) 796:3,4 reports (1) 861:21 represent (1) 808:5 representative (1) 795:1 representing (1) 883:22 represents (2) 799:3;834:23 reproducing (1) 868:5 request (2) 805:23;821:21 requests (1) 798:24 required (1)	863:2 requirement (1) 845:15 requirements (2) 834:13;855:2 requires (1) 874:20 research (1) 804:20 researching (1) 867:2 reservations (1) 853:21 residences (1) 870:14 resident (5) 813:8;814:14; 833:9;835:4;888:17 residential (2) 821:10,19 residents (14) 802:17;806:5; 813:23;820:12;830:2; 836:9,22;838:2,3,20; 841:11,16;876:8,12 residents' (1) 841:22 resides (1) 800:4 resource (2) 801:20;837:23 Resources (10) 794:5,7;837:5; 838:16;865:12;870:9, 17,21;888:20;889:15 respect (3) 834:15;853:17; 860:15 respectful (2) 841:20;843:6 respectfully (1) 811:23 respecting (1) 861:12 respects (1) 847:20 responded (1) 854:7 response (2) 885:10;891:6 responsible (2) 841:9;858:13 rest (4) 877:15;879:3; 880:12;882:1 restaurant (16) 801:23;811:10,11, 11;822:20;829:16; 839:15,24,24;840:4; 845:12;857:19; 862:13,19;863:9; 873:7 restauranteurs (1)	801:5 restore (2) 852:24;865:12 restrict (1) 806:3 restrictions (1) 855:10 result (3) 809:24;812:17; 855:20 results (3) 807:5;809:22;811:7 resume (1) 798:9 retirement (1) 872:17 return (2) 840:9;852:17 returned (1) 852:12 revenue (2) 850:12;854:13 reviewed (1) 800:14 revised (1) 799:17 re-work (1) 811:24 Reynolds (3) 794:19,20,20 Rheault (2) 820:15;852:10 Rhode (49) 794:7;801:1,7,11; 820:17,20;821:2,4; 825:13;829:23;833:9; 834:2,23;835:5,11,24; 836:8,14;838:5,14,15, 15;839:4,6,13,21; 840:1,10,23;850:21; 851:7,21;852:11; 860:12,14;862:6,18; 865:12;867:6;870:11, 16;871:19;873:4,9; 879:16,18;880:8; 888:12;889:8 Rice (3) 820:7,9;868:22 riches (1) 837:9 richest (1) 805:11 Richman (1) 832:23 ride (1) 871:3 rides (1) 826:6 ridiculously (1) 826:9 riding (1) 824:15 right (32)
---	---	--	---	--

795:15;799:13,20; 808:1,5,10,24;809:6; 811:13,16;825:6; 830:24;831:1,3; 847:7;850:22;852:1, 19;853:15;858:1,17; 864:14;865:1;869:16, 19;872:9;878:10; 881:5;883:3,3,7; 892:21	837:6 safe (13) 805:21;815:9,12; 827:9,10,12;830:20; 833:24;834:19; 841:12;844:10;848:8; 863:12 safely (3) 810:12;835:21; 836:7 safety (10) 821:24;845:4; 848:3,11;851:5; 875:19;876:10,24,24; 877:16 sail (5) 816:1;825:22; 881:2,8;883:3 sailboat (3) 824:15;883:5,8 sailboats (1) 844:2 sailing (6) 800:8;802:2; 807:24;814:18; 815:24;883:8 sails (1) 881:5 sale (1) 852:18 sales (1) 838:10 salt (3) 834:10;835:2;861:6 same (17) 808:7;811:7; 824:14;842:17,17,22; 844:19;847:8,10,14, 21;848:1;849:3; 850:18;851:23;854:7; 880:22 sample (1) 854:3 sand (1) 848:21 satisfies (1) 800:24 Saunderstown (1) 851:21 saw (1) 856:13 sawhorses (1) 814:7 saying (3) 801:5,18;832:2 scale (3) 821:18,18,21 scallop (5) 794:10;801:10; 805:5;806:7;857:21 scallops (4) 801:7,21;855:23; 858:20	scar (1) 888:11 scenery (1) 844:11 scenic (6) 821:9;852:24; 854:10,12,16;855:20 schedule (4) 798:23;890:10,14; 891:11 school (3) 833:23;839:11; 866:1 science (2) 860:6;864:6 scope (1) 849:13 scratch (1) 867:22 screamed (1) 815:3 Scrofani (4) 859:7,8,10,12 seafood (7) 840:2;841:8; 861:19,22;862:5,14; 873:11 Seagull (1) 885:2 sealed (1) 854:4 season (1) 822:4 seasonal (1) 841:23 seasons (1) 855:9 seat (1) 853:24 seaweed (2) 822:12;843:16 second (7) 794:12;801:17; 823:11;825:18;827:2; 861:18;886:11 Secondly (1) 885:22 secretary (1) 795:18 section (3) 850:2;852:21;877:1 sediments (1) 855:15 seem (3) 801:14;819:17; 889:2 seemed (1) 888:24 seems (4) 801:12,18,23; 841:14 sees (3) 800:15;828:2;	847:23 Segar (78) 800:7,12,18;802:5; 804:21;805:7,22; 807:3,12;808:10; 809:7,10,14;810:1; 811:6;812:11;815:1, 9,11;816:5,19,23; 817:17,24;819:6,18, 22;820:9;821:7; 822:1,3,8,10,12,22, 22;827:2,16;828:1,8, 15,23;829:11;830:2; 833:14;834:3;835:22; 836:7,18;837:12; 841:13;843:16,17,19; 852:3,7,12;854:4; 855:22;856:1,10; 859:20,24;868:8; 870:13;872:14; 875:15,18;877:13; 879:1,18;880:6,10; 881:23;882:6,8,23; 886:7 selfish (1) 837:8 selling (2) 839:10;873:11 send (2) 798:16;890:7 sending (1) 891:19 senior (1) 873:17 sense (4) 812:4;858:11,11; 881:24 sensitive (1) 865:23 sent (2) 799:17;891:20 sentence (2) 801:1,3 sentimental (1) 853:5 septics (2) 848:19,22 serene (1) 829:6 serenity (1) 826:21 serious (1) 822:19 service (2) 803:17;849:8 session (6) 795:24;797:5,6; 832:21,22;881:3 set (2) 815:14;820:18 sets (1) 838:17 setting (1)	814:6 seven (3) 808:22;850:1; 887:10 seven-acre (1) 845:17 several (4) 808:23;838:24; 870:13;874:24 shadow (1) 864:13 shallow (4) 805:18;816:1; 822:14;882:7 share (6) 816:16;817:4; 823:15;844:19;860:2; 889:5 shared (5) 817:14;856:6; 859:22;860:24; 861:12 sharing (1) 817:5 sheath (1) 882:24 shellfish (8) 801:2,13;814:6; 816:2,24;854:2; 855:17;863:17 shellfishing (2) 814:20;816:18 shifting (1) 853:9 shipped (1) 873:12 shit (1) 855:18 shock (1) 826:10 shoe (1) 874:11 shore (5) 805:10;866:1; 879:1;881:11;883:10 shoreline (3) 819:24;872:24; 876:1 shores (1) 875:10 short (3) 812:10;826:10; 889:22 shot (1) 849:16 show (1) 832:19 shown (1) 854:15 shows (2) 871:10;890:1 shucked (1) 863:15
S				
sacred (1)				

shut (2) 805:1;871:22	866:15;867:9;882:17	son (3) 804:12;856:12; 861:9	877:11	star (2) 831:19;869:20
siblings (1) 870:5	skied (1) 809:23	song (1) 869:6	specific (1) 844:6	start (8) 796:15;821:7; 839:13;847:1;867:17; 875:1;881:21;883:9
side (4) 809:7;815:11; 822:11;850:4	skier (3) 804:24;815:4;845:2	sons (1) 835:21	speech (1) 865:20	started (8) 798:15;808:20,21; 834:22;835:18; 871:15;887:11,16
sign (2) 846:22;890:24	skiers (7) 808:12;811:14,20; 815:1,12;844:8;850:3	soon (2) 846:12;890:12	spending (1) 837:13	starting (2) 814:20;874:23
signed (1) 890:1	skiff (1) 868:6	soothing (1) 848:16	spent (10) 804:14;823:22; 825:15;827:4;828:3; 833:14;836:18;861:4; 870:10;884:24	starts (1) 839:9
significant (3) 818:3;829:17; 868:20	skiing (8) 800:9;807:23; 814:19;835:21;844:3; 866:20;883:7,13	Sophia (3) 823:4,7;827:1	spiel (1) 797:18	State (12) 801:7;820:18,20; 821:2;835:14;839:12; 852:16;854:11; 863:23;866:22;870:8, 21
signs (1) 867:3	skills (2) 805:20;834:19	sorry (2) 799:11;806:10	spin (1) 811:20	stated (2) 819:10;855:7
similarly (1) 813:16	skim (1) 837:8	sort (3) 826:20;864:13,17	splash (2) 827:10;867:15	statement (2) 820:16;865:10
simple (6) 836:6;848:13; 852:8;858:18,22; 877:8	skipped (1) 823:17	sorts (3) 811:2;880:3;885:23	splashing (1) 827:7	States (1) 835:5
simply (4) 844:10;882:1,13; 883:18	skis (12) 824:2;827:8,11; 857:23,24;858:3,5; 866:21;867:12; 872:22;880:23;881:1	source (2) 804:18;851:6	spoke (3) 810:17;867:20; 892:5	state's (3) 870:8;871:23;873:7
sin (1) 887:17	slope (1) 874:7	South (5) 795:1;804:14; 833:11;853:20; 868:17	spoken (3) 817:19;842:18; 891:1	statistics (1) 801:4
single (4) 815:4;823:14; 825:13;849:19	small (8) 805:8;808:8; 811:20;821:18,18,21; 834:23;849:12	southern (2) 866:19;868:11	sports (4) 828:17;844:16; 882:14,15	stay (8) 811:22;816:5; 824:11;831:3;844:9; 850:12,13;853:13
singular (1) 875:12	snow (1) 870:16	sovereign (2) 820:17,19	spot (5) 811:13;817:17,18; 829:6;849:20	stayed (1) 850:4
sister (1) 823:14	snowblowers (1) 870:15	space (8) 802:10;829:10; 852:7;853:20;854:19; 856:7,9;874:11	spots (1) 816:19	stays (1) 876:22
sit (1) 828:8	Snug (2) 854:23;884:24	spaghetti (1) 867:16	spring (1) 863:5	steady (2) 801:12;872:21
site (18) 818:24;826:13; 853:24;855:4,15; 856:2,4;859:20; 860:22;861:2;868:4; 874:4;879:14,19; 880:13,18;881:11; 883:16	social (2) 820:23;851:24	spanning (1) 875:14	springs (1) 825:16	steal (1) 853:18
sits (1) 819:15	sold (1) 852:11	speak (26) 797:20;798:22; 803:14;813:4;818:19; 823:1;825:2;831:14; 834:14;837:22; 838:24;840:12,13; 842:2;843:5;859:11, 18;872:10;878:23; 879:4;884:8;890:1,3, 16,18,20	Spurlock (36) 795:23;796:1; 797:17,20,23;799:11, 16,22;803:8,10; 806:17;831:7,11,18, 22;832:6,12,16,24; 842:6,9,13,20;843:1; 847:4,10;851:16; 857:2,7,10;869:20; 878:2,7,12,17;884:12	steep (2) 874:7;875:18
sitting (5) 813:13;830:23; 836:17;849:6;858:1	sole (1) 838:21	speaker (1) 805:15	staff (4) 795:4;867:8;877:1; 890:15	steers (1) 853:18
situation (2) 810:10;877:3	solely (1) 836:11	speakers (5) 796:18,19,20; 797:21,24	stage (1) 834:24	Stephen (1) 872:13
six (5) 807:11;825:15; 849:24;859:15; 885:20	solution (8) 807:7,7;811:1,2,4, 17,24;812:7	speaking (8) 799:8;813:7; 818:12;825:3;840:22; 853:11;873:17;890:8	standard (1) 885:23	steps (4) 850:22;873:20,21; 874:8
size (3) 809:16;860:23; 889:6	somebody (4) 820:8;833:4; 861:16;888:1	speaks (1) 840:1	standards (1) 886:3	Steven (1) 872:5
ski (15) 810:6,6,9,21;815:5; 823:24;824:15; 827:11;828:21; 830:21;836:11;848:5;	someone (9) 806:3;818:9;828:3; 842:16;846:4;867:14; 869:23;881:3;892:5	special (7) 817:15,17,18; 836:20;837:12; 862:18,22	stapans (4) 831:6,8,13,24	steward (1) 837:2
	someone's (1) 885:19	species (1)		stewards (1) 865:7
	sometimes (2) 805:18;892:9			still (14) 802:7;816:2,11; 832:10;833:15; 841:14;850:5,6; 851:17;860:9;868:6; 886:17,20;890:4
	somewhat (1) 819:4			
	somewhere (1) 798:7			

stole (1) 865:19	substituting (1) 797:17	surprised (1) 838:19	850:12,13	882:16
stop (1) 830:7	Succotash (1) 857:18	surround (1) 838:3	Taxi (1) 869:7	Thanks (6) 803:13;806:12; 825:6;830:23;837:15; 843:4
storage (1) 856:2	sudden (1) 887:12	surrounding (1) 835:12	taxpayer (2) 850:12;888:17	Theodore (3) 835:19;837:3,3
stores (1) 863:8	Suffice (1) 875:20	surroundings (1) 861:11	teach (3) 810:11;815:22; 840:15	thereafter (1) 875:1
stories (2) 838:2;859:23	sufficient (3) 797:1;841:15; 891:13	Susan (1) 878:24	teacher (2) 833:22;869:5	thereby (1) 863:2
story (4) 834:11;839:8,9,14	suggest (2) 845:16;890:15	susceptible (1) 863:2	teaches (1) 863:18	therefore (1) 830:5
straight (1) 849:16	suggested (1) 853:14	suspended (2) 794:11;887:15	teaching (1) 834:5	thinking (3) 799:1;813:10;831:1
street (4) 847:19;859:14; 862:11;876:15	suggesting (1) 812:6	sustain (1) 889:6	techniques (1) 863:18	Third (7) 799:19;808:12; 811:13;828:18; 844:13;862:8;869:4
stress (3) 860:3,5;861:16	suggestion (1) 881:23	sustainability (1) 851:9	Ted (1) 861:23	third-generation (1) 813:8
stressed (1) 861:10	suitable (1) 821:20	sustainable (2) 858:7;862:1	teenager (1) 844:22	Thompson (5) 818:15,16,18,20; 823:3
striped (3) 865:23;868:7,12	summer (19) 804:16;810:7,18; 814:22;823:17;827:4; 833:14;836:18; 837:13;855:22; 863:16;872:20;875:6; 876:14;880:20; 881:12,15,16;885:4	swam (1) 804:6	teenagers (1) 829:7	thought (3) 804:7;816:10; 889:16
stripers (1) 868:9	summered (1) 813:21	swim (2) 808:1;825:20	telephone (2) 869:21,24	thought (2) 823:9;868:1
strong (3) 834:1;835:12; 875:24	summers (1) 825:15	swimmers (1) 808:2	telling (1) 808:14	thoughts (3) 824:12;843:12; 844:18
strongly (1) 845:22	summertime (1) 858:3	swimming (6) 800:9;807:24; 828:12;844:4;861:5; 881:13	tells (4) 827:17;839:8,14; 886:17	thousands (3) 829:4;863:23;884:1
stuck (1) 802:3	sunfish (2) 815:23;881:8	systems (1) 848:21	temperature (1) 855:21	three (16) 809:19;813:11; 816:20;819:20,21; 821:23;847:24;860:5, 8;861:2;869:1; 870:10;875:14; 876:22;877:9;889:20
students (2) 834:6;840:14	sunrise (1) 816:13	T	ten (15) 796:23,24;798:9; 803:24;804:5,9; 838:19;872:18;874:8; 885:13,18,20;886:19; 889:22;890:5	three-acre (4) 794:10;854:21; 859:19;860:16
study (1) 820:24	sunset (1) 816:13	table (3) 814:7;841:24;848:4	tend (1) 802:8	three-hour (1) 891:11
stuff (3) 802:24;828:22; 889:1	support (5) 803:22;845:12; 859:21;863:14; 879:11	talk (8) 807:3,6;809:9; 820:24;822:10; 849:15;852:21; 861:23	ten-foot (1) 885:19	threshold (1) 855:21
stung (2) 804:13,18	supportive (1) 845:11	talked (6) 815:19;822:2; 860:7;861:23;881:3; 886:12	ten-minute (2) 798:7;846:2	throughout (4) 813:22;840:4; 880:5;881:8
Subcommittee (10) 794:7,15;797:8; 818:20;819:16;820:3; 843:9;873:8;890:13; 892:14	supports (1) 821:10	talking (10) 796:15;813:14; 820:22;821:7,22; 822:11,15;849:13; 858:14;885:5	term (2) 812:10,10	thunder (1) 865:20
Subcouncil (1) 869:15	supposed (4) 795:13;808:24; 886:18;890:17	talks (3) 819:17;862:9; 863:19	terms (2) 821:3;887:4	tidal (2) 876:8;886:5
submerged (1) 852:16	supporting (1) 836:8	tangled (1) 887:1	terrific (1) 858:1	tide (2) 886:2,2
submit (4) 797:2;846:7; 890:24;892:10	sure (9) 807:19;816:21; 826:5;831:16;846:17; 853:12;854:18; 860:21;890:19	tape (1) 814:2	terrified (1) 829:20	tie (1) 853:2
submitting (1) 846:5	surface (2) 801:8,15	taught (7) 810:8;815:8,17; 827:6,17;834:5; 867:15	testified (3) 874:22;875:2; 885:16	times (11) 809:23;816:21; 818:4;821:2;826:19; 827:6;840:12;841:17,
subparagraph (1) 821:15	surfboard (1) 886:22	tax (2)	testifying (1) 836:20	
Subsequent (2) 885:15;890:3			testimonies (1) 833:17	
substantial (3) 855:20;882:5,21			testimony (13) 803:16;818:23; 819:11;820:7,11,21; 827:24;833:9;837:11; 843:23;867:8;873:3;	
substantially (1) 883:14				

<p>18;882:3;885:1 tip (1) 845:19 tipping (1) 824:15 today (26) 797:3,6,17;799:5, 15;803:14;832:19; 833:9,19;836:17; 837:10;842:2;846:7, 11;859:11;860:2,7; 864:8;869:4,13; 878:23;879:4,16; 883:18;890:9,18 Today's (2) 794:5;795:24 together (1) 813:3 told (1) 860:20 Tom (2) 857:12,17 Tommy (4) 842:5,10;847:4,15 ton (2) 800:20;802:9 Tony (3) 795:12;806:14,15 took (3) 817:14;834:20; 888:1 top (2) 800:22;850:5 total (1) 861:1 totally (1) 824:7 touch (1) 840:20 tour (1) 860:22 tourism (5) 840:9;873:4,7,10, 13 tourist (1) 889:8 tourists (2) 829:5;863:23 tours (5) 829:14;839:23; 841:1,17;863:19 tow (2) 844:12;866:17 towed (4) 828:11;882:14,15; 886:23 towing (2) 844:16;875:19 town (3) 799:2;829:22; 834:23 track (1) 814:2</p>	<p>tracking (1) 798:12 tradeoff (1) 829:1 Trail (1) 851:21 transplants (1) 862:23 trap (2) 852:9;877:17 traps (8) 850:1,1;861:11; 877:7;887:1,12,14,22 travel (1) 840:17 travels (1) 875:11 treating (1) 819:18 tremendous (3) 800:18;839:3;858:7 tremendously (2) 808:3,18 Trespassing (1) 867:4 tried (4) 798:21;828:20; 854:24;855:23 trip (1) 825:14 trips (1) 873:24 trot (3) 866:2,3;868:15 trouble (3) 804:15;847:6;857:3 truck (1) 867:18 true (3) 815:6;828:5;836:13 truly (5) 818:6,10;824:6; 840:19;848:1 trust (1) 835:7 truth (2) 864:3;867:16 try (6) 798:16;850:19,19; 857:2;869:19;890:18 trying (5) 796:15;823:22,24; 825:3;853:18 tube (10) 810:12,19;824:2; 825:21;844:12,23; 866:15;882:17,17; 888:7 tubed (3) 804:6,21;809:22 tuber (2) 804:24;852:1 tubers (1)</p>	<p>844:8 tubing (20) 800:7;802:2; 807:24;810:9;823:13; 835:21;844:3,4,12; 858:1;861:5;870:17; 880:4,21;881:18; 882:20;883:1,4,7,13 turn (5) 798:8;821:24; 846:21;852:10; 856:18 Turner (2) 795:18,19 twice (1) 883:22 Twiss (5) 837:17,18,21; 842:4;873:13 two (14) 809:19;822:5; 827:22;829:19;844:1; 862:22;864:20;866:5, 18;869:1;870:5; 882:4;887:11,21 Type (3) 821:8,14;882:22 types (1) 815:19 typically (1) 888:7</p>	<p>835:5 unless (1) 849:6 unsaid (1) 797:4 unsightly (1) 871:16 unusable (1) 886:23 up (48) 795:4;798:2;801:4; 802:10,24;807:14; 808:4;809:14;814:6; 815:14;819:23; 820:18;821:6,23; 822:12;823:2,24; 824:1;826:10,17,18; 832:20;833:6;834:3; 835:10,19,21;840:19; 846:22;847:1;848:20; 851:23;861:9;864:21, 22;867:4,9;869:8; 873:21;885:1,20; 887:10,16;889:22; 890:1,21,24;892:8 update (1) 890:21 updated (2) 796:18;799:8 upon (2) 804:4;825:19 upsets (1) 887:6 upstairs (1) 801:16 urge (2) 845:22;884:6 URI (2) 854:13;863:15 usage (1) 871:23 use (57) 807:13,17,20; 808:3;809:10,13,16; 810:2,16;812:12; 821:8,10;822:2; 826:15;827:22; 828:14,24;829:2,3,18, 20;830:19;835:2; 836:7;841:16;843:17, 18,23;844:2,16,21; 845:5,5;849:23; 852:3,9,12,17;854:9, 11,15,22,24;856:9; 872:16;875:15,18; 876:6,10,15,24; 877:13;883:9,20; 884:4;885:23;887:4 used (23) 807:23;808:1,17; 810:11;811:14,15,19; 826:6,13;828:7,10; 843:21;848:8;849:4;</p>	<p>853:8;860:19;868:10, 11;869:5;874:17; 881:24;882:5;884:3 users (2) 827:11;830:2 uses (5) 821:7;852:5; 877:20;882:9,11 using (11) 794:10;798:2; 799:16;869:21; 872:22;875:3;883:12; 886:21;887:11,16; 888:2 usually (4) 828:11;873:23; 881:20;885:4 utilized (1) 870:8 utilizing (1) 870:17</p>
V				
				<p>vacationers (1) 883:23 vague (1) 801:3 value (5) 821:9;852:24; 853:5;854:10;858:8 vantage (2) 880:17;882:23 variety (1) 834:6 various (3) 818:22;825:16; 863:20 vehicle (1) 870:23 vendors (1) 801:5 versus (2) 817:22;818:8 via (1) 832:2 Vice (2) 794:17,18 vice-president (1) 838:9 video (4) 814:2,3;828:8; 856:19 videos (1) 823:23 view (4) 802:14;839:18; 859:13;880:13 views (2) 807:2;872:19 Vin (1) 795:2 Vincent (1)</p>

795:1 virtually (1) 849:3 virus (1) 863:2 visible (2) 852:6;871:15 visit (2) 862:16,19 visiting (1) 828:4 visitors (1) 871:13 visual (1) 865:2 visualize (1) 892:2 visuals (1) 892:6 vote (5) 797:13;822:18; 829:24;850:11;869:1 voted (4) 829:22;830:1; 868:17,22 votes (1) 797:9 voting (2) 819:16;820:3	810:11,22;815:14,21; 816:6;822:14;824:18; 827:5,15,23;828:17, 23;829:7,11;835:13; 844:1;849:7;852:5; 855:16,18;856:2,4; 858:18;861:9,12; 866:4,6,7;867:4,14, 15;868:6;870:19,22; 871:5,5,11,14,15; 874:7,13;875:5,11,18; 876:15;877:16,20; 880:17;882:5,14,15, 24;885:20;887:18 watercraft (1) 880:23 watercrafts (2) 805:8;850:3 waterfront (5) 835:24;853:21; 865:7,18;868:17 waterfronts (1) 821:19 waters (6) 804:7;806:6; 821:17;834:2;836:5; 876:8 water's (4) 885:13,22,24;886:1 waterski (1) 888:7 waterskied (2) 804:6,21 waterskier (1) 852:1 Waterskiing (11) 800:7;802:2; 823:13;835:18;850:3; 870:18;872:22;880:4, 21;882:20;883:1 waterways (4) 835:7;836:14; 871:20,24 waving (2) 814:5,8 way (12) 808:13;817:7; 819:14;822:14; 839:21;841:14; 847:20,21;849:22; 867:17;869:15;882:8 ways (3) 807:23;808:18; 867:11 wealth (1) 830:8 website (2) 865:10;873:10 WEDNESDAY (1) 794:1 weed (1) 804:9 week (1)	841:18 weekend (2) 810:19;881:15 weigh (1) 817:24 Welcome (2) 837:16;859:5 Weldknecht (9) 823:4,5,7,8;825:5,8, 11,12;831:5 well-documented (1) 854:5 west (1) 875:24 western (1) 879:1 what's (4) 798:20;816:5; 829:5;850:17 whenever (2) 862:15;886:15 whereby (1) 797:12 whip (1) 815:1 whipping (1) 867:13 white (1) 797:20 whole (4) 797:18;825:18; 826:20;886:13 wholesaling (1) 873:11 who's (1) 846:7 whose (2) 818:8;847:23 wide (1) 834:5 wife (10) 818:20;872:13; 873:18;876:1;878:24; 879:6,21,22,23; 883:24 wild (3) 807:15;861:22; 862:4 wildlife (3) 816:12;826:1; 844:11 Wilkes (11) 799:9,21,24;800:1, 2,4;803:4,8;805:15; 842:19,20 William (4) 842:11,13;847:9,11 Willis (18) 795:5,6,13,14; 798:10,12,17,20; 846:6,9,12,17;890:10, 12;891:3,17;892:17, 18	wind (1) 875:24 windows (1) 872:19 winter (4) 816:10;855:8; 856:2;868:6 winters (2) 825:15;856:4 wipe (1) 887:4 wires (1) 886:24 wish (1) 889:10 within (1) 802:22 without (6) 801:8;826:11; 865:8,16;866:13; 876:8 witnessed (1) 800:6 witnesses (5) 819:13,13;855:14; 868:24;875:21 women (1) 814:6 wonder (2) 886:4;887:9 wonderful (9) 811:17;816:8,9; 834:22;837:11; 857:17;858:16; 862:14;863:24 wondering (1) 885:19 wonders (2) 836:5;837:5 words (1) 820:17 work (13) 797:22;822:14; 825:9;834:12;835:24; 836:3;845:8,9,17; 855:24;863:17; 874:19;890:14 worked (3) 812:13;870:11; 874:23 workers (4) 803:18;809:3; 829:13;874:17 working (6) 795:17;821:13; 826:20;834:12; 841:21;875:3 works (1) 797:19 workshop (1) 797:7 world (7) 823:21;834:9,24;	837:2;840:18;861:21, 22 worm (1) 868:3 worms (1) 868:5 worried (1) 830:12 worries (1) 828:6 worry (3) 829:9;833:5;870:15 worse (1) 888:3 worth (2) 810:23;837:13 wrap (1) 891:6 written (4) 797:3;813:12; 846:7;890:24 Wrobel (4) 842:24;843:2,4; 846:1 wrong (3) 846:6;848:15; 888:10
W				Y
Wadenstein (1) 857:6 Wagner (1) 796:15 wait (2) 857:4;881:20 wake (2) 800:9;880:21 Wakefield (1) 887:22 walking (1) 814:4 walks (1) 834:7 wants (2) 806:4;888:15 warm (1) 831:3 warmer (1) 871:2 warning (1) 876:3 watch (2) 869:14;883:3 watched (2) 826:1;858:15 watching (5) 809:4;814:1,4; 825:24;881:7 water (56) 804:22;805:24;				Yachting (1) 859:17 year (17) 800:12,19;825:13; 826:16;827:3;829:16; 840:6;862:21;863:14; 867:23;880:2,2,2; 883:22;892:22,24; 893:1 years (52) 801:11,16;803:24; 804:5,9;807:10,14,16, 19,20;808:16,23; 809:4,4;811:15; 813:11,22;814:13; 816:20;817:19; 823:17;825:14;826:2, 3;828:2;830:7; 833:11,13,23;834:5; 838:19;848:18;849:2; 850:2;852:13;858:14; 859:15,17;862:23; 863:17;864:20;870:6; 871:22;872:15,18; 873:6;874:1;880:7, 24;883:24;885:3; 887:11 Yellow (1) 869:7 yellowed (1) 814:4 yesterday (1) 855:8

<p>York (1) 862:15</p> <p>young (6) 827:22;828:11; 829:19;833:15;876:5, 18</p> <p>younger (1) 870:18</p>	<p>15-year-old (1) 825:2</p> <p>16 (3) 823:8,17;830:24</p> <p>17 (1) 861:9</p> <p>19 (1) 889:12</p> <p>1950 (1) 879:23</p> <p>1958 (3) 813:15,18,21</p> <p>1970 (3) 813:23;814:10; 855:24</p> <p>1980s (1) 880:1</p> <p>1983 (1) 814:16</p> <p>1990s (1) 874:5</p> <p>19-foot (1) 881:17</p> <p>1E (1) 855:2</p> <p>1G (1) 855:14</p> <p>1H (1) 855:14</p> <p>1K (1) 855:19</p>	<p>267 (2) 813:9;815:9</p> <p>288 (1) 818:21</p> <p>298 (1) 807:10</p>	<p>865:23</p> <p>750 (1) 875:7</p>
<p>Z</p>	<p>2</p>	<p>3</p>	<p>8</p>
<p>Zealand (2) 821:1,1</p> <p>zero (1) 830:24</p> <p>zip (1) 868:18</p> <p>Zoom (4) 797:19;858:10; 889:13,16</p>	<p>2 (2) 821:8,14</p> <p>20 (5) 796:19;800:19; 822:7;828:9;859:17</p> <p>200 (1) 863:22</p> <p>2004 (1) 857:18</p> <p>2006 (1) 819:2</p> <p>2016 (2) 854:13;861:24</p> <p>2017 (2) 804:12;853:8</p> <p>2017-12-086 (1) 794:9</p> <p>2020 (3) 794:1,6;863:5</p> <p>2021 (1) 892:23</p> <p>21-foot (1) 804:22</p> <p>25 (3) 833:23;834:5;876:1</p> <p>250 (1) 874:16</p> <p>26 (1) 822:4</p>	<p>3/3 (1) 869:1</p> <p>30 (10) 794:1,6;807:15; 808:4,5,6,7,10,17; 877:5</p> <p>35 (2) 801:11;862:23</p> <p>36 (1) 870:6</p>	<p>8 (2) 828:9;874:24</p> <p>80 (2) 866:14,16</p>
<p>1</p>	<p>4</p>	<p>4</p>	<p>9</p>
<p>1 (1) 852:22</p> <p>1.3.5 (1) 852:21</p> <p>1:00 (1) 889:20</p> <p>1:05 (1) 893:2</p> <p>10 (2) 821:14;828:9</p> <p>10,000 (1) 816:22</p> <p>10:05 (1) 794:2</p> <p>10:06 (1) 794:6</p> <p>100 (2) 821:2;848:3</p> <p>11:30 (1) 798:7</p> <p>11:31 (1) 846:2</p> <p>11:32 (1) 846:20</p> <p>11:35 (1) 846:24</p> <p>11:45 (1) 846:20</p> <p>11:46 (1) 847:2</p> <p>11:46] (1) 846:24</p> <p>120 (4) 808:11,11,13,14</p> <p>15 (6) 848:18;851:21; 852:13;872:15; 878:24;886:2</p> <p>150th (1) 821:4</p>	<p>4 (1) 804:12</p> <p>42 (1) 796:19</p> <p>454 (2) 800:4;802:16</p> <p>46 (1) 822:8</p> <p>47 (1) 825:14</p>	<p>5</p>	<p>9 (2) 831:19;869:20</p> <p>90 (1) 885:8</p> <p>95 (2) 857:18;872:14</p>
	<p>5</p>	<p>5</p>	
	<p>6</p>	<p>6</p>	
	<p>7</p>	<p>7</p>	
	<p>7 (1) 828:9</p> <p>7:00 (1)</p>	<p>6:30 (1) 875:1</p> <p>60 (3) 833:11,13;885:3</p> <p>600 (1) 818:24</p> <p>62 (1) 817:19</p>	