



State of Rhode Island and Providence Plantations  
**Coastal Resources Management Council**  
Oliver H. Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900

(401) 783-3370  
Fax (401) 783-2069

### **PUBLIC NOTICE**

File Number: 2018-09-033

Date: February 16, 2021

This office has under consideration the application of:

Daniel Torre  
152 Winter Street  
Wakefield, RI 02879

for a State of Rhode Island Modification of Assent to:

add quahogs, bay scallops, and surf clams to the species cultivated on the existing aquaculture farm.

Project Location:	Sakonnet River
City/Town:	Portsmouth
Waterway:	Sakonnet River

Plans of the proposed work may be seen at the CRMC office in Wakefield.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (**with your correct mailing address, e-mail address and valid contact number**) and be received at this office on or before March 16, 2021.

/lat

**Modification to existing Lease (2018-09-033) Cover Letter**

To whom it may concern:

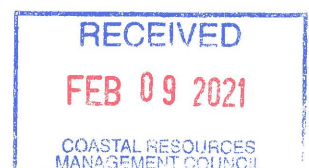
While utilizing the **existing footprint of my lease**, we are proposing to modify the assent to allow for the culturing of Quahogs (*Mercenaria mercenaria*), Bay Scallops (*Argopecten irradians*) and surf clams (*Spisula solidissima*). All of these species are native Rhode Island, feed off of naturally occurring plankton in the wild, and are associated with net water quality benefits. Culturing methods of these species require no additive to the water except for the gear they grow in, which in general provides significant ecosystem benefits such as increased habitat and biodiversity of native finfish and crustaceans.

We will utilize submerged water on the existing lease, where **no observable changes will be noted above water to reduce visual impact. No additional vertical/horizontal lines are being proposed for this modification.** No navigational/recreational hindrances are being introduced since the proposed gear is to be added directly below existing lines. Quahogs and surf clams will be primarily grown in soft mesh bags (see **Figure A** below) along the seafloor. Bags will be pinned to the sediment and maintained/harvested by diving. Bay scallops will be grown in lantern nets on existing longlines (**Figure B**) suspended below the water surface and maintained/harvested by small boat and/or diving. Overwintering and storage of market products and growout of seed will utilize 6 bay oyster cages as shown in **Figure C** below.

The need for this modification is justified by the increasing demand for sustainably farmed fresh local seafood as a source of protein. The cultivation of the shellfish mentioned provides significant benefits to the local economy as well as the water in which their grown.

If any questions or concerns arise, please feel free to contact Dan by cell (609) 351-3006 or email [aquidneckislandoysters@gmail.com](mailto:aquidneckislandoysters@gmail.com)

Sincerely,  
Dan Torre



## **Guidance Document for** **Aquaculture Operations Plans**

Anyone conducting aquaculture operations in RI must comply with all applicable CRMC regulations (*Coastal Resources Management Program Section 300.11*) and DEM regulations, as set forth in “*Aquaculture of Marine Species in RI Waters.*” Plans provided to the CRMC will be available for DEM review. Modifications to the permit must follow the CRMC process for modification of assent. Separate, individual plans shall be developed and submitted for each aquaculture site/facility (i.e., one for each lease site, one for each upweller location, etc.); provided, however, that if lease sites are contiguous, or part of a single, unified operation, the overall site can be covered by a single plan. Operations Plans shall address each of the items listed below, as applicable, following the format set forth below.

*Note: All plans must be type written. This Microsoft Word document is intended to be used by licensees/operators as a template when preparing plans and may be modified as needed to fit the specific needs of the operator.*

1. ***Name and mailing address:***

Dan Torre  
152 Winter Street,  
Wakefield, RI 02879

2. ***CRMC file number:*** 2018-09-033

3. ***DEM Aquaculture License number:*** TBD

4. ***Type of facility:***

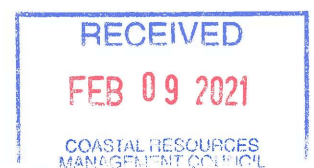
This is a commercial shellfish aquaculture lease site where floating and sunken cultivation will be used to grow shellfish to commercial sale size.

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

- Town: Portsmouth
- Water body: Sakonnet River

6. ***Species of shellfish*** grown at the facility:

Our farm utilizes floating culture method to commercially culture the eastern oyster (*Crassostrea virginica*) off the west bank of the Sakonnet River. Modification includes culturing quahogs/surflams in bags adjacent to the sediment, as well as Bay Scallops in suspended lantern nets on existing longlines utilized by oysters. Seed oysters will be purchased from established and approved hatcheries following Biosecurity Board protocols.





7. ***Types of structures, gear and methods:***

We will set up 10 units of 60, 2' x 3' floating polyethylene cages that are suspended from a floating longline system in the water column, and anchored on both ends, and a mid-point for extra stability using helix anchors. Bags will vary in mesh size to maximize flow, while ensuring no loss of product. Modification to include sunken cages and bags to grow shellfish including quahogs, bay scallops and oysters. In addition, lantern nets will be added to existing longlines to grow bay scallops.

8. ***Methods and equipment used to identify and mark site:***

The four corners of the commercial aquaculture site will be marked using the standard 11 inch pot buoys with written notation marking in 3 inch letters "CRMC" including our file number when available.

9. ***DEM Shellfish Harvesting Classification*** at site.

Lease is located in approved waters outside of known shellfish beds. In addition, an underwater survey was conducted and filmed, showing little shellfish abundance.

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

During the warmer summer months, oysters will be feeding at a maximum and cages will be flipped regularly by hand to minimize fouling and tumbled to promote cup shaped oysters that are free of fouling organisms. Additionally, oysters farmed in this manner will be more consistent in size, shape, and quality. Oysters will be cleaned and sorted by hand to ensure marketability. Bags will also be rotated to dry bags to reduce biofouling. Clams will be grown on the seafloor, and bags will be harvested by simply removing them from the sediment when they are market size, little to no maintenance will be needed. Bay scallops will be grown in lantern nets which may periodically need to be cleaned, by diving and wiping algae off of the nets. 6 bay oyster cages will be used to grow seed shellfish as well as store shellfish through the winter, these will be periodically airdried to remove fouling. Once harvested, clams and scallops will be cleaned and bagged by hand to be delivered to restaurants.

11. Procedures for ***maintaining records:***

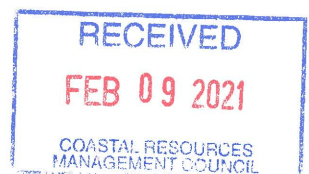
For operations using seed acquired from out-of-state:

Description of notification, disease certification, and labeling/tagging procedures:

All out of state seed purchases will go through the approval of the Biosecurity Board pending disease certifications from the relevant hatchery.

Disease certification will be conducted when seed is purchased and a pathology report will be collected before sale. Tags will be equipped with company information including name, address, contact information, location of harvest, the intended recipient, and time of harvest,

Harvest of shellfish will be documented in adherence to HACCP guidelines.





12. Procedures for *maintaining records*:

For upwellers/seed-growing facilities in prohibited waters:

Description of procedures, including frequency of grading (with particular reference to requirements that seed must be removed before it exceeds maximum “seed” size threshold, i.e., <32 mm for oysters, <25 mm for quahogs):

This does not apply as we will not be using these

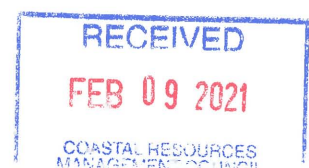
13. Procedures for *maintaining records*:

For operations using seed from prohibited waters, or operations using shellfish obtained from a third party that originated as seed from prohibited waters:

Detailed description of demarcation methods and record-keeping practices used at the lease site to ensure that animals have been cultured at least twelve (12) months in approved waters, prior to sale, including:

- a. Detailed record-keeping practices specifying date, source, average size, and amount of seed; and
- b. Protocols and associated record keeping for tracking product, e.g., use of tagged/numbered cages and/or bags, use of marked trawls, and/or use of marked, segregated portions of lease sites.

Description of the process for notifying the third party that (a) seed came from prohibited waters, (b) the date of that transfer, and (c) the remaining time needed to maintain the animals in approved waters prior to sale.

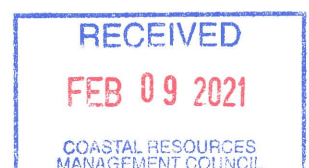


Full Application Written Description:  
**Overview**

Our farm utilizes a floating culture method to commercially culture the eastern oyster (*Crassostrea virginica*), off the West bank of the Sakonnet River, RI. We are proposing to add quahogs (*Mercenaria mercenaria*), bay scallops (*Argopecten irradians*) and surf clams (*Spisula solidissima*), cultured with bottom gear, or suspended gear (below the surface). Seed oysters will be purchased from established and approved hatcheries and placed in the field in accordance with all biosecurity measures.

Currently we are permitted to establish 10 units of 60, 2' x 3' floating polyethylene cages in the water column, and anchored on both ends, and a mid-point for extra stability using concrete anchors and helical anchors as needed. Bags will vary in mesh size to maximize flow, while ensuring no loss of product. Floating cages will eliminate the need for mechanized tumblers and power washers due to their inherent design which constantly tumbles the oysters via wave action with intermittent periods of air drying. Oysters will be cleaned and sorted by hand to ensure marketability. During the warmer summer months, oysters will be feeding at a maximum and cages will be flipped regularly by hand to minimize fouling and tumbled to promote cup shaped oysters that are free of fouling organisms. Additionally oysters farmed in this manner will be more consistent in size, shape, and quality.

To include the culture of clams, we would add 10 units of 5 soft-mesh bags ~4'x4' (Figure A), which would lay on top of the sediment surface. The bags would be accessed via diving, to maintain and harvest clams.

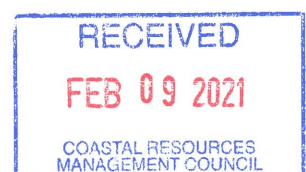


Bay scallops would be grown in tiered lantern nets ~1.5 in diameter (Figure B), attached to existing lines permitted for oyster culture. Lantern nets would be accessed via small boat or kayak to maintain and harvest bay scallops.

During the winter months oyster cages will be sunk to the bottom, by removing/filling both floats. Bay scallops will be sunk by condensing animals to deeper water in 10 units of 5 oyster cages (6' X 3') (Figure C). As a result of our gear being sunk during the winter months they will have limited interaction with migratory waterfowl populations. Though no work will be planned during this time, any work that does occur during these winter months (November to April) will be done from 10:00am to 2:00pm.

Impacts:

Shellfish aquaculture in this area will have positive implications throughout many estuarine trophic levels. Our product will be actively removing nitrogen from the water column as it is assimilated into oyster biomass or deposited in the sediment due to particulate settling. Increased particulate nitrogen to the sediment is thought to be extremely advantageous for restoring eelgrass, as eelgrass can opportunistically uptake nitrogen from the sediment.





*1.3.1(A). aka section 300.1 Category B requirements*

Summary

Permitting the proposed farm will create jobs directly, and indirectly, while helping to meet the increasing demand for oysters. The land adjacent to the farm is a rock and debris filled slope, followed by a 30-foot cliff that shows evidence of erosion. Aquaculture, and especially floating aquaculture has been noted to reduce erosion to adjacent land for a several reasons. Aquaculture promotes the proliferation of submerged aquatic vegetation, which has obvious advantages in areas subject to erosion. In addition, it's been hypothesized that floating aquaculture reduces wave energy which would ultimately diminish erosion of nearby land.

The closest public land access is south of the site, leading to the Glen Manor House dock. The proposed site is over 400 feet from the dock access and would not impede any recreational activities taking place on or near the dock. Only positive impacts on water quality, sedimentation, turbidity, flushing and water circulation will be observed from the proposed farm. The proposed site is adjacent to an abandoned boathouse, with significant deterioration and misuse, and as such it is unsafe for recreation in the area due to fallen pilings, stray metal piping, etc., No additional gear will be seen above the waters surface so scenic impact is being minimized to surrounding neighbors and recreationalists.

The proposed site is adjacent to an abandoned boathouse, with significant deterioration and misuse, and as such it is unsafe for recreation in the area due to fallen pilings, stray metal piping, etc., Fishing practices were observed over a full season and no conflicts were observed.

Commercial fishing practices were observed in the area, but were several hundred feet past the scope of the proposed farm, likely due to insufficient depth to navigate commercial fishing vessels, and lack of efficient fishable habitat.



Floating Gear Guidelines:

During previous meeting the following items were identified to be addressed moving forward

(my responses in bold):

d. floating gear should be secured with helical (screw) anchors

**Due to terrain in this area, it has been suggested to use a combination of concrete blocks and helix anchors.**

j. floating gear shall not be permitted over or within 25 feet of protected submerged aquatic vegetation (SAV)

**The current lease site does not interfere with eelgrass or other SAV according to the survey conducted in this area as a result of my original application.**

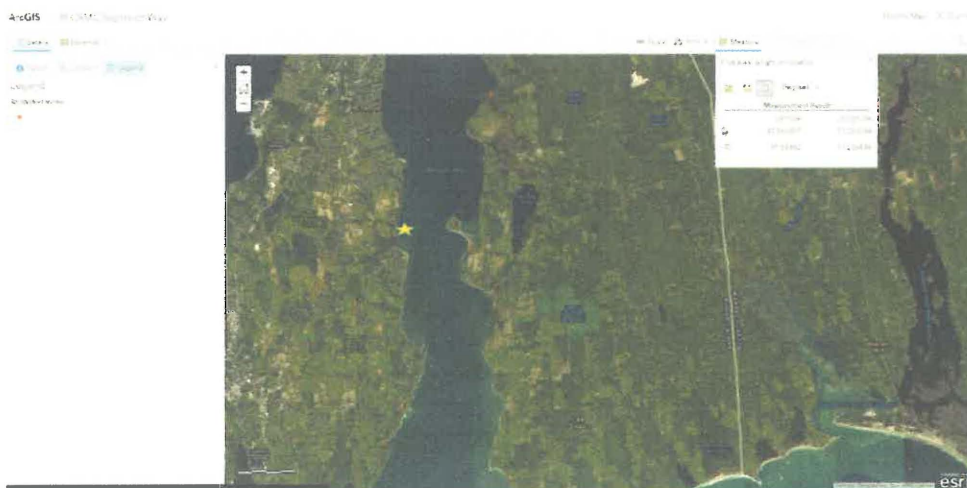
l. towns may recommend areas where floating gear should be discouraged

**Conversations with Gary Crosby, Portsmouth Town Planner, and Don Wilkinson, manager of Glen House Manor Estate, have not identified any issues with siting floating gear in this area.**

m. floating gear should be discouraged within 400 feet along shorelines which have been preserved for conservation, recreation and/or public access through easements, purchase by the state or municipality or are owned by a land trust or conservation organization and have been recognized by the CRMC

**No CRMC recognized right-of-way in the area according to CRMC website (see attached figure below). In addition, the proposed lease is over 400 feet from the closest shore access point. The shoreline adjacent to the proposed site presents a hazardous path over old brick and stone rubbish.**

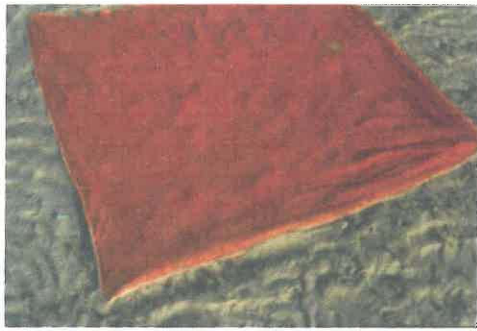
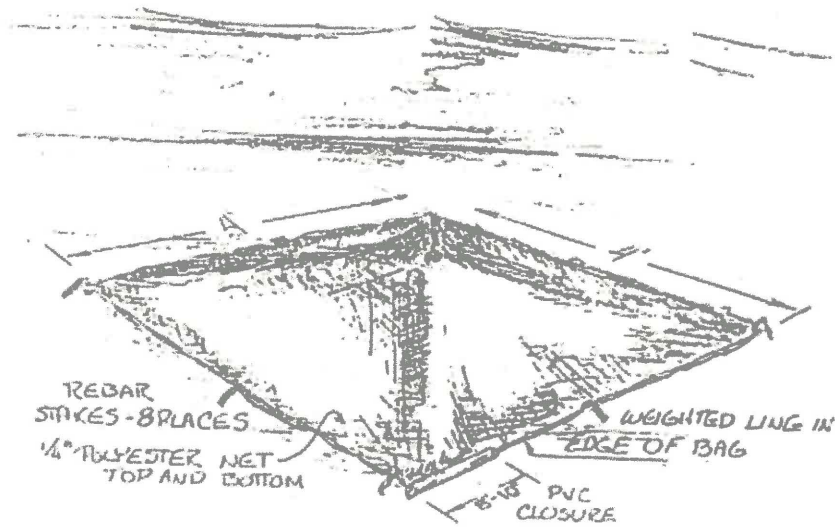
**<http://www.arcgis.com/home/webmap/viewer.html?webmap=6ab50d9cef0c47a49e894cde4b1d2ef7&extent=-72.5362,40.952,-70.3994,42.1442>**



Prepared 2/4/21

Gear Modifications

**Figure A. Soft Mesh Clam Bags**-to be used below the water surface



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**Figure B. Lantern Nets**



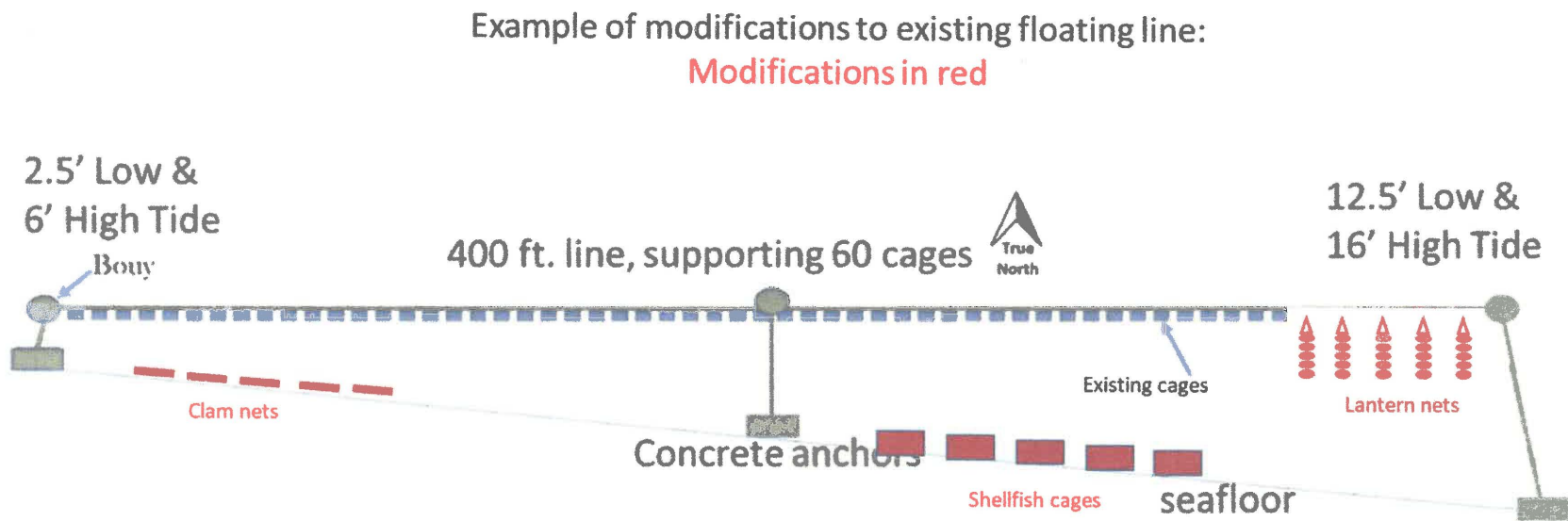
~1ft diameter





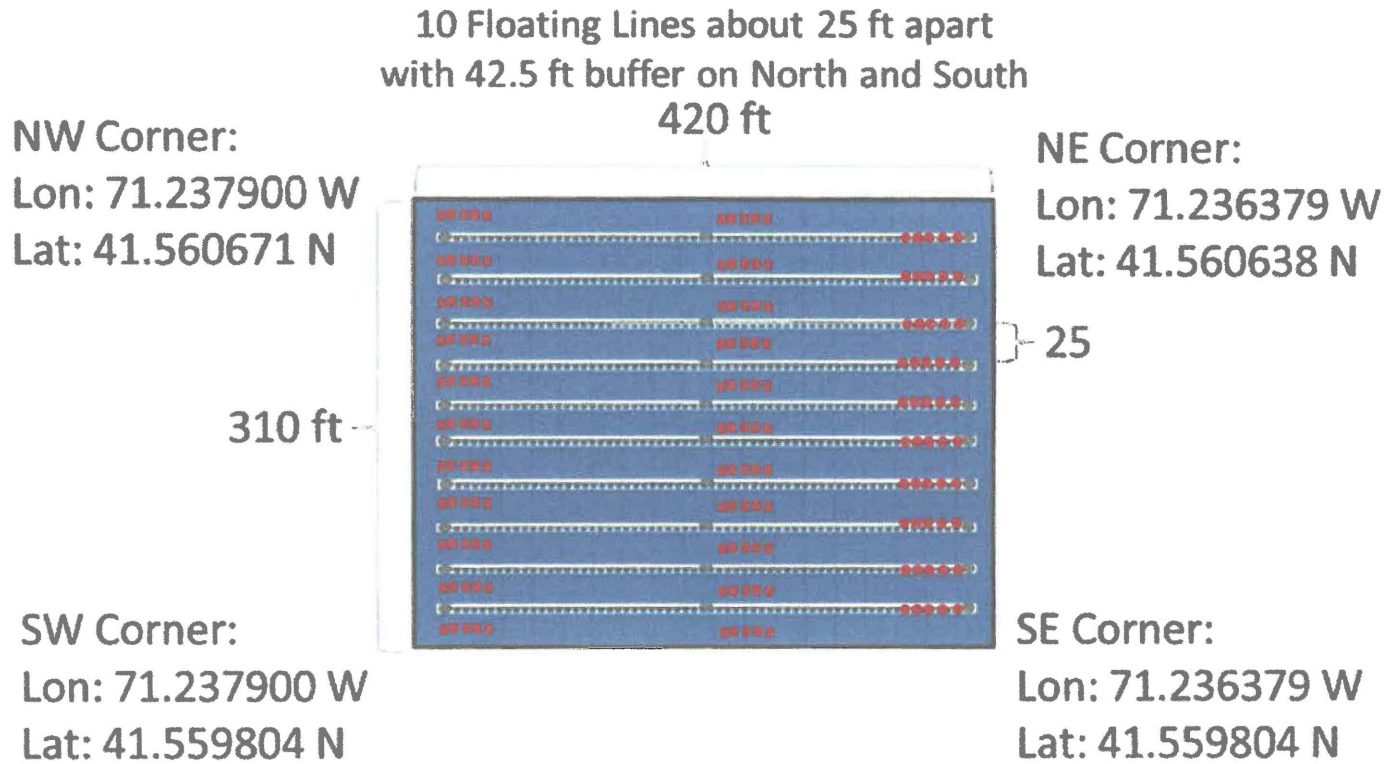
6'x3'

Cross sectional diagram (modifications in red)





Torre & Davidson Application  
 Prepared 2/16/2018  
 Site Plants (Farm Schematic Only)



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