



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: June 27, 2022

This office has under consideration the application of:

Daniel Torre
152 Winter Street
Wakefield, RI 02879

for a State of Rhode Island Assent modification to:

Utilize existing floating longlines for the use of low profile floating baskets (known as FlipFarm©) in place of the existing higher profile floating bags. The proposed modification will result in no net increase in the square footage of the floating gear or in the number of vertical and horizontal lines used. See plans attached for further details.

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 July 27, 2022.



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REQUEST FOR ASSENT MODIFICATION

Assent/Permit Number: 2018-65-033 (including extensions) Expiration Date:
Name of Assent Holder: Daniel Torre
Location of Project: Portsmouth RI (Sakonnet)
City/Town: Same Plat:
Lot:

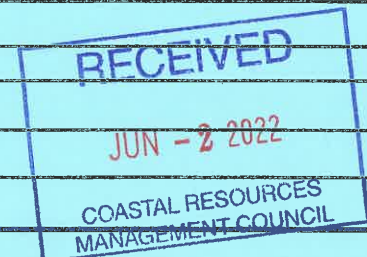
Name of Present Owner: Daniel Torre (Aguidneck Island Oyster Co.)
Mailing Address: 152 Winter St
City/Town: Wakefield State: RI
Zip: 02879
Phone Number: (409) 351-3006 Contact Person: Dan
Abutters:

I hereby certify that the names and addresses of adjacent property owners whose property adjoins the project site are accurate and current as of the date of application. If said names and addresses are found to be not accurate and/or current, any subsequent Assent may become Null and Void. Signed: [Signature]

Describe the proposed modification(s):

Reason: See Attached

What state of construction is the project in:



Owner's Signature: [Signature]

Note: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible adhered to the policies and standards of the program. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. The filing of false information can result in the Coastal Resources Management Council revoking State Assent. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall be access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to penalties of perjury. 5/00

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

To whom it may concern:

While utilizing the **existing footprint of the lease**, we are proposing to include a new lower profile floating bag type which is more robust to storms while also decreasing our visual presence. Flipfarm hexcyl bags will be used along the existing longlines in replacement of some of the existing gear. The flipfarm bags are ~ 1/3 of the surface area of the existing gear that is used (Figure A) and protrude from the water only ~1-2 inches compared to ~4 inches for the existing gear (Figure B). The proposed gear is proven to be more resilient to severe weather events, both in tests on our site and historically.

No additional vertical/horizontal lines are being proposed for this modification. The only change is to add the bag new bag type and how the bag is attached to the longline system. No navigational/recreational hindrances are being introduced since the proposed gear is to be added directly below existing lines. **The square footage of floating bags on the lease will remain the same** while allowing more oysters to be grown due to the compartmentalized nature of the flipfarm bags (Figure C).

The need for this addition 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. The gear proposed is a more scalable and robust solution to a growing shellfish business. In the past we have had issues with gear breaking and this is the best low-profile gear solution for that. In addition, the new gear provides the environmental benefit of reducing single use plastic (zip ties) on the farm, since the floats are permanently affixed to the bags.

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

Sincerely,
Dan Torre



Aquaculture Questionnaire

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 and bottom gear to commercially culture the eastern oyster as well as quahogs/surf clams and bay scallops off the west bank of the Sakonnet River. Seed are be purchased from established and approved hatcheries following Biosecurity Board protocols.

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



We are working towards establishing 10 units of 180, floating polyethylene cages 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 Flipfarm gear and Seapa Spat socks. Flipfarm gear has been used as a robust alternative to traditional floating gear. Flipfarm bags are roughly 1/3 the above water surface area as traditional floating gear, and protrude from the water less making them less visually obtrusive. Seapa bags lined with spat socks will be used to culture smaller seed along existing floating lines.

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

The four corners of the commercial aquaculture site are 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:***

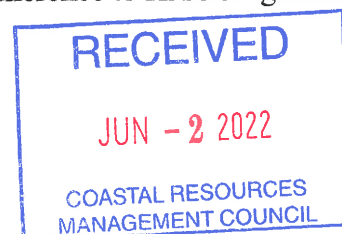
For operations using seed acquired from out-of-state:

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

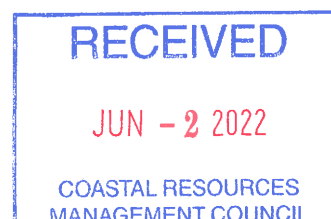
13. Procedures for ***maintaining records***:

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:

1. Detailed record-keeping practices specifying date, source, average size, and amount of seed; and
2. 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.

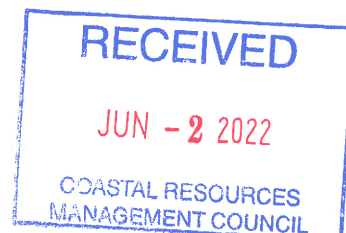


Operational Plan

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. In addition, quahogs (*Mercenaria mercenaria*), bay scallops (*Argopecten irradians*) and surf clams (*Spisula solidissima*), are cultured with bottom gear, and suspended gear (below the surface). Seed shellfish are purchased from established and approved hatcheries and placed in the field in accordance with all biosecurity measures.

We are working towards establishing 10 units of 200, floating polyethylene cages in the water column, and anchored on both ends, and a mid-point for extra stability using mushroom 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.



Clams are grown in 10 units of 5 soft-mesh bags ~4'x4'(Figure A), which lay on top of the sediment surface. The bags are accessed via diving, to maintain and harvest clams. Bay scallops are 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.

Some of the oyster bags will be sunk to the bottom, by removing/filling the 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 the majority of our gear being sunk during the winter months they will have limited interaction with migratory waterfowl populations.

Variety of Floating gear used on the farm-used for different applications and times of year:

- Square intermas bags
- Zapco tumblers for seed
- Flipfarm gear*
- seapa bags with spat socks*

*denotes addition to lease

Impacts:

Shellfish aquaculture in this area has positive implications throughout many estuarine trophic levels. Our products actively remove 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, mushroom 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.

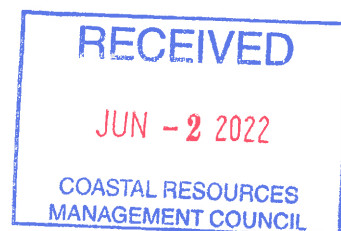
l. towns may recommend areas where floating gear should be discouraged

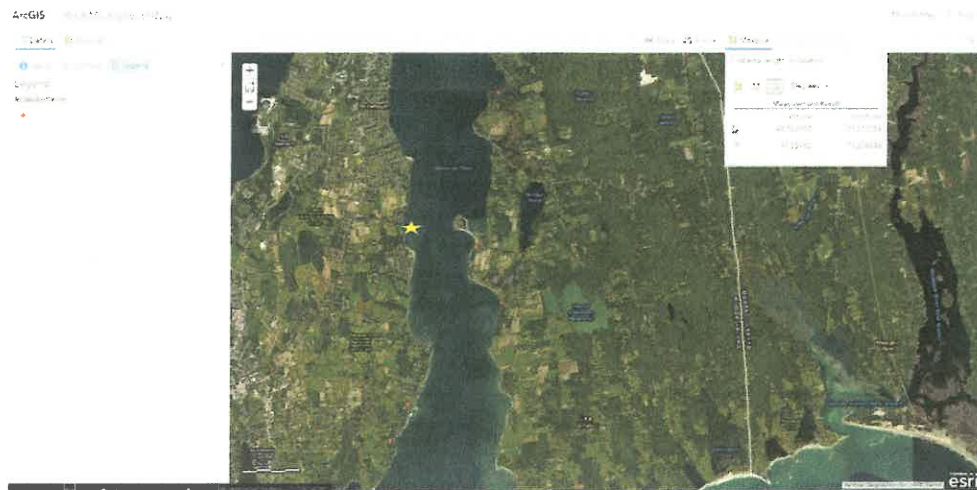
Conversations with Gary Crosby, Portsmouth Town Planner, and Don Wilkinson, manager of Glen House Manor Estate, have not identified any issues with siting floating gear in this area.

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.

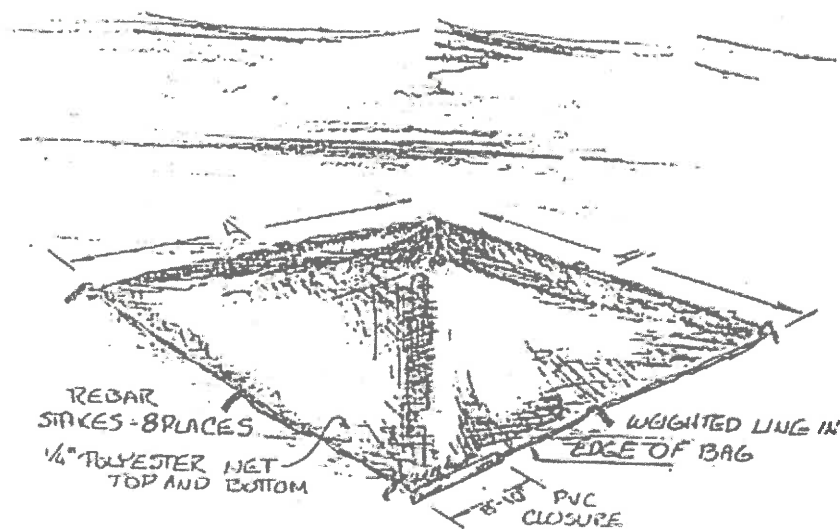
<http://www.arcgis.com/home/webmap/viewer.html?webmap=6ab50d9cef0c47a49e894cde4b1d2ef7&extent=-72.5362,40.952,-70.3994,42.1442>





Gear

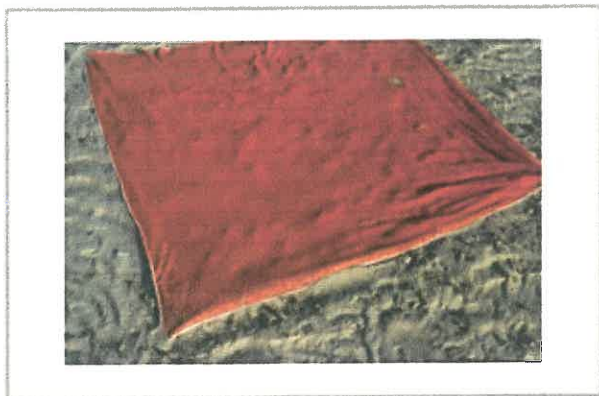
Figure A. Soft Mesh Clam Bags-to be used below the water surface



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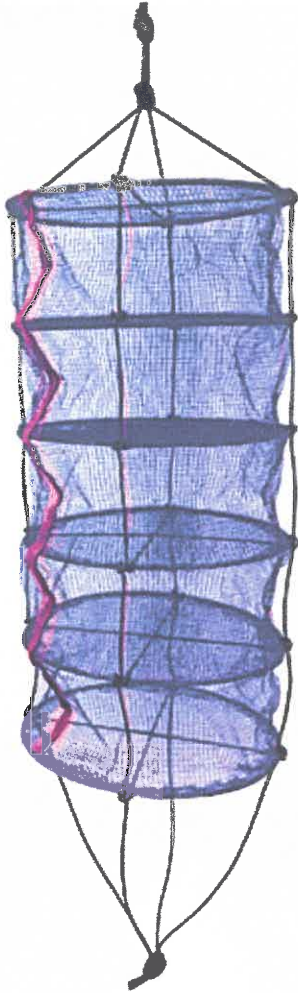
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Gear (Continued)

Figure B. Lantern Nets





~1ft diameter



Gear (Continued)
Figure C. 6-bag oyster cages

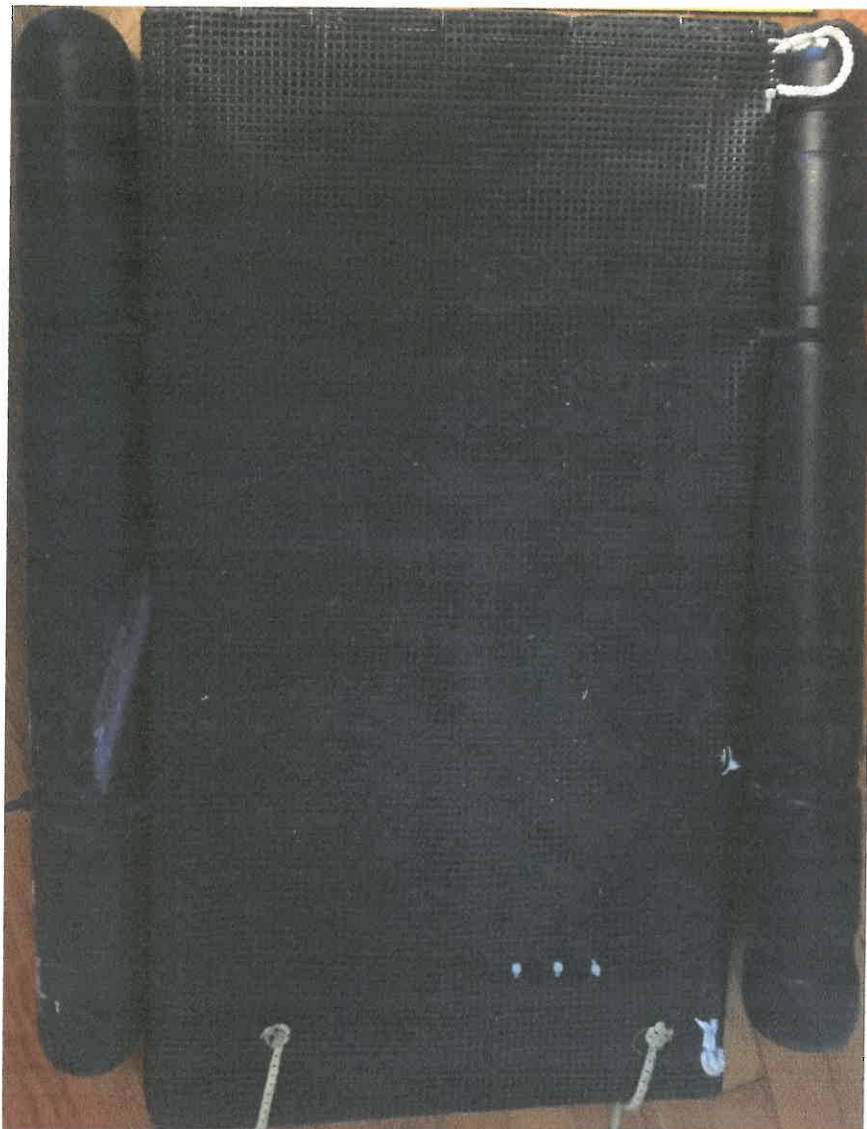




6'x3'

Gear (Continued)
Figure D. Square Intermas Bags





2' by 3'

Figure E. Flipfarm Gear





2' by 0.5' surface area (2.5 inches thick)

Figure F. Seapa Spat Sock



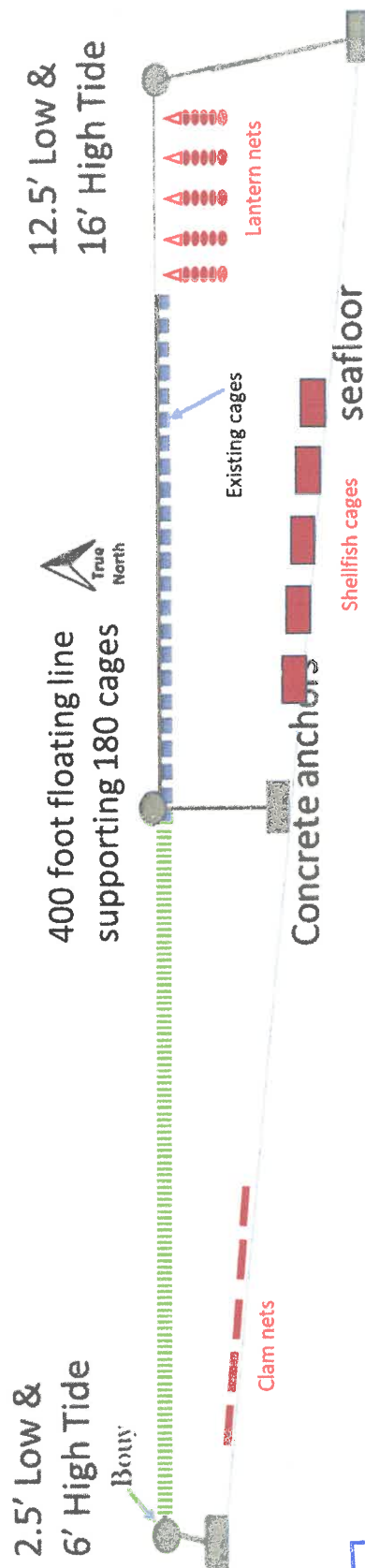


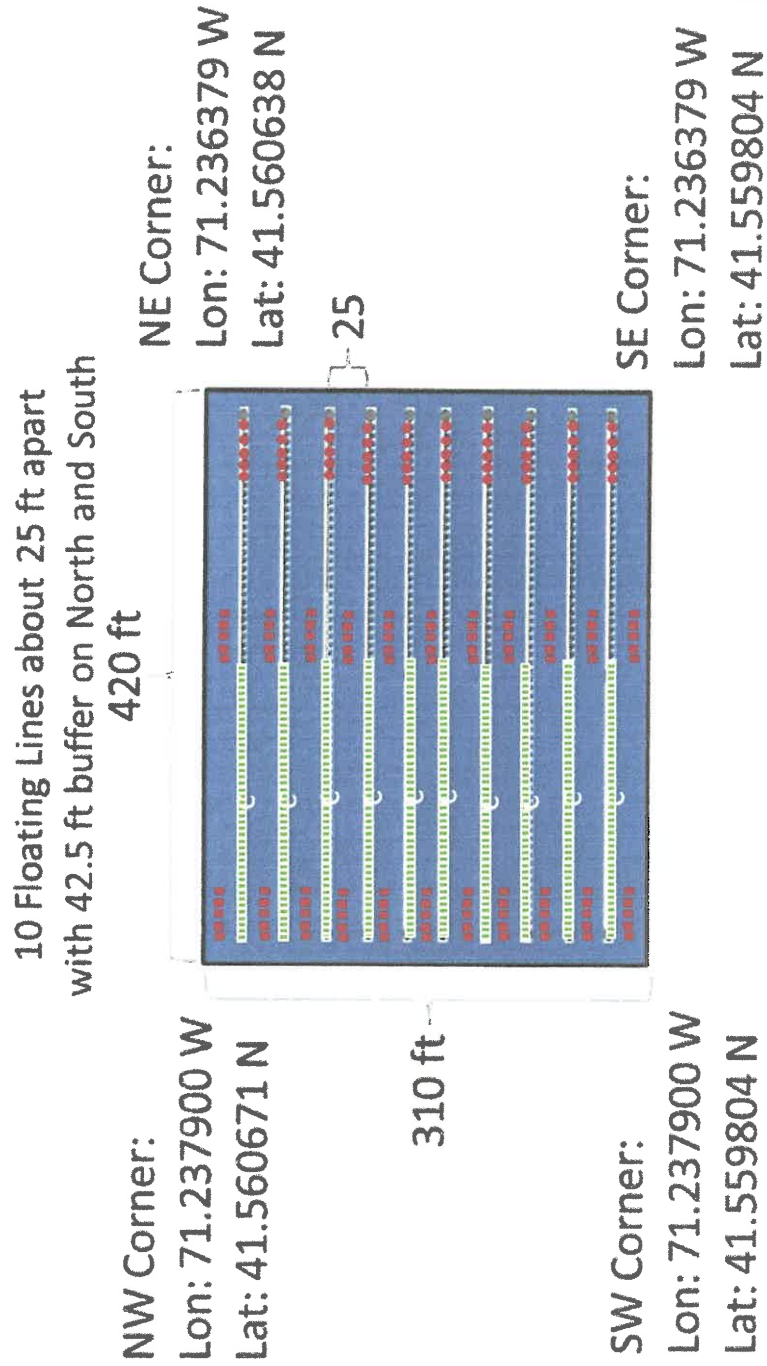
2' oval ~4 to 6 inch diameter

Cross sectional diagram (modifications in red)



Example of modifications to existing floating line:
Modifications in Green





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Letter to include Flipfarm Bags

To whom it may concern:

While utilizing the **existing footprint of the lease**, we are proposing to include a new lower profile floating bag type which is more robust to storms while also decreasing our visual presence. Flipfarm hexcyl bags will be used along the existing longlines in replacement of some of the existing gear. The flipfarm bags are ~ 1/3 of the surface area of the existing gear that is used (Figure A) and protrude from the water only ~1-2 inches compared to ~4 inches for the existing gear (Figure B). The proposed gear is proven to be more resilient to severe weather events, both in tests on our site and historically.

No additional vertical/horizontal lines are being proposed for this modification. The only change is to add the bag new bag type and how the bag is attached to the longline system. No navigational/recreational hindrances are being introduced since the proposed gear is to be added directly below existing lines. **The square footage of floating bags on the lease will remain the same** while allowing more oysters to be grown due to the compartmentalized nature of the flipfarm bags (Figure C).

The need for this addition 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. The gear proposed is a more scalable and robust solution to a growing shellfish business. In the past we have had issues with gear breaking and this is the best low-profile gear solution for that. In addition, the new gear provides the environmental benefit of reducing single use plastic (zip ties) on the farm, since the floats are permanently affixed to the bags.

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

Sincerely,
Dan Torre



Gear Modifications

Figure A. Flip Farm bags are ~1/3 the floating surface area of traditional bags.



Gear Modifications (Continued)

Figure B. Side profile of flipfarm vs traditional bags.



2018-09-033 Lease Modification
Prepared 01/30/22

Gear Modifications (Continued)

Figure C. Cross sectional view of flipfarm bags.

