



State of Rhode Island
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: B2018-09-033 Modification Date: June 4, 2024

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 construct and maintain ten (10) additional 300' horizontal long lines, each supporting 250 low-profile floating (FlipFarm) baskets for the cultivation of eastern oysters. The lines will be placed within the existing footprint of the current lease and no expansion on the lease size is requested. The low-profile floating baskets proposed are already in use on the existing 10 long lines on the lease. Further details may be found in the plans attached.

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

Plans of the proposed work can be found attached to this notice or may be requested at Cstaff1@crmc.ri.gov.

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 4, 2024**.

Please email your comments/hearing requests to: cstaff1@crmc.ri.gov; or mail via USPS to: Coastal Resources Management Council; O. S. Government Center, 4808 Tower Hill Road, Rm 116; Wakefield, RI 02879.

/lat



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REQUEST FOR ASSENT MODIFICATION

Assent/Permit Number: 2018-09-033	(including extensions) Expiration Date: _____
Name of Assent Holder: Daniel Torre	
Location of Project: Sakonnet River	
City/Town: Portsmouth, RI	Plat: _____
	Lot: _____

Name of Present Owner: Daniel Torre	
Mailing Address: 152 winter street	
City/Town: wakefield	State: ri
	Zip: 02879
Phone Number: [REDACTED]	Email Address: [REDACTED]
Abutters: State of Rhode Island	

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): While utilizing the existing footprint of our lease (2018-09-033), we are proposing to establish the inshore portion of our lease using the same gear types and practices being used in the offshore portion. We will continue to use low profile floating bags to diminish visual presence.
Reason: The need for this addition is justified by the increasing demand for sustainably farmed fresh local seafood as a source for protein. The recent modification to flip the orientation of our longlines (now oriented North to South) to be more robust against storms has been extremely effective. In addition, it's opened up space on the farm to allow for this enhancement.
What state of construction is the project in: Staged and ready to be executed.

Daniel Torre

Owner Name (PRINT)

Owner's Signature (SIGN) [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

RECEIVED

APR 29 2021
COASTAL RESOURCES
MANAGEMENT COUNCIL

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

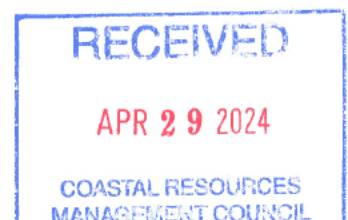
To whom it may concern:

While utilizing the **existing footprint of the lease**, we are proposing to establish the inshore portion of our lease utilizing the same gear types and practices being used offshore. We will continue to use the low profile floating bag type which is more robust to storms while also minimizing our visual presence. The recent modification to flip the orientation of our longlines(now oriented North to South) has proved to be more robust against storms and has opened up space on the farm. To achieve this, ten additional floating lines will be deployed ~ 300 feet in length, supporting 250 flipfarm bags each. Each floating longline is supported by two vertical lines anchored by mushroom anchors on each end. We are proposing to apply our current farming methods to this space.

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.

If any questions or concerns arise, please feel free to contact Dan by cell [REDACTED] or email [REDACTED]

Sincerely,
Dan Torre



Operational Plan

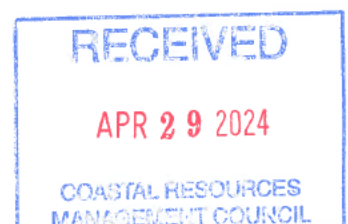
Full Application Written Description: **Overview**

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 20 units of 250, floating polyethylene cages in the water column, and anchored on both ends using mushroom and helical anchors as needed. Bags will vary in mesh size to maximize flow, while ensuring no loss of product. 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.

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

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.

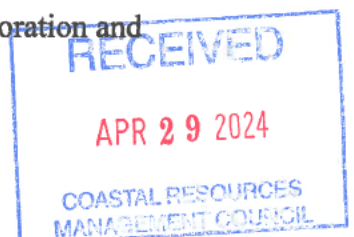
1.3.1(A). aka section 300.1 Category B requirements

Summary

Permitting the proposed updates 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., Scenic impact is being minimized to surrounding neighbors and recreationalists by utilization of low profile floating gear.

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.

Flipfarm Gear



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

Site Plans



Torre
Site Plans
04/23/24

20 floating lines about 20 feet
apart
420 ft

NW Corner:
Lon: 71.237900 W
Lat: 41.560671 N

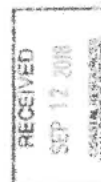
NE Corner:
Lon: 71.236379 W
Lat: 41.560638 N

Legend:
-Red squares indicate
bottom cages (30 total)
-Green rectangles are
Flipfarm bags.
Lease area ~3 acres
-Highlighted lines are
proposed addition

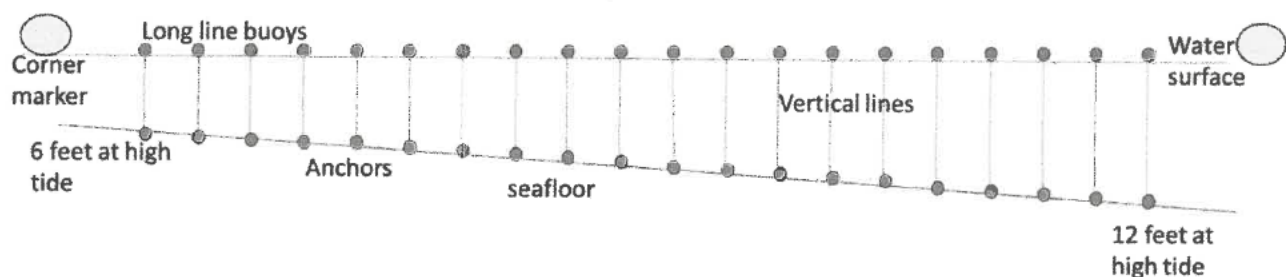
310 ft

SW Corner:
Lon: 71.237900 W
Lat: 41.559804 N

SE Corner:
Lon: 71.236379 W
Lat: 41.559804 N



Cross Sectional View from South looking North



1.3.1(A)

Category B written requirements:

- a. Demonstrate the need for the proposed activity or alteration;

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.

- b. Demonstrate that all applicable local zoning ordinances, building codes, flood hazard standards, and all safety codes, fire codes, and environmental requirements have or will

be met; local approvals are required for activities as specifically prescribed for nontidal portions of a project in §§ 1.3.1(B), (C), (F), (H), (I), (K), (M), (O) and (Q) of this Part; for projects on state land, the state building official, for the purposes of this section, is the building official;

NA

- c. Describe the boundaries of the coastal waters and land area that is anticipated to be affected;

See site plans

- d. Demonstrate that the alteration or activity will not result in significant impacts on erosion and/or deposition processes along the shore and in tidal waters;

NA

- e. Demonstrate that the alteration or activity will not result in significant impacts on the abundance and diversity of plant and animal life;

The cultivation of the shellfish mentioned provides significant benefits to the local economy as well as the water in which their grown.

- f. Demonstrate that the alteration will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of, tidal waters and/or the shore;

The modification exists within current lease boundaries.

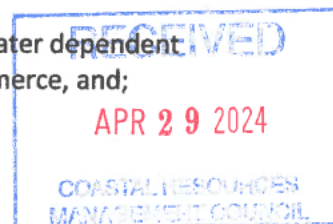
- g. Demonstrate that the alteration will not result in significant impacts to water circulation, flushing, turbidity, and sedimentation; h. Demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM;

Shellfish aquaculture is noted to be beneficial to water quality. No negative circulating, flushing, turbidity or sedimentation has been noted from floating shellfish aquaculture.

- i. Demonstrate that the alteration or activity will not result in significant impacts to areas of historic and archaeological significance;

The modification exists within current lease boundaries.

- j. Demonstrate that the alteration or activity will not result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce, and;



The modification exists within current lease boundaries.

k. Demonstrate that measures have been taken to minimize any adverse scenic impact (see § 1.3.5 of this Part).

The modification exists within current lease boundaries while continuing to use low profile gear.

1.3.1(K)(3):

Additional Category B Requirements

a. Applicants proposing to undertake any aquaculture project shall:

(1) Describe the location and size of the area proposed;

See application

(2) Identify the species to be managed or cultivated within the permitted area and over which the applicant shall have exclusive right;

See application

(3) Describe the method or manner of management or cultivation to be utilized, including whether the activities proposed are experimental, commercial, or for personal use; and

See application

(4) Provide such other information as may be necessary for the Council to determine:

(AA) The compatibility of the proposal with other existing and potential uses of the area and areas contiguous to it, including navigation, recreation, and fisheries;

See application

(BB) The degree of exclusivity required for aquacultural activities on the proposed site;

See application

(CC) The safety and security of equipment, including appropriate marking of the equipment and/or lease area;

See application

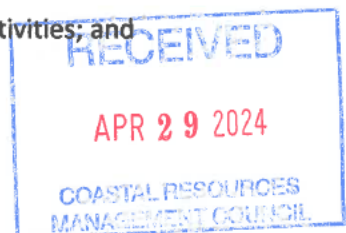
(DD) The projected per unit area yield of harvestable product;

See application

(EE) The cumulative impact of a particular aquaculture proposal in an area, in addition to other aquaculture operations already in place;

See application

(FF) The capability of the applicant to carry out the proposed activities; and



See application

(GG) The impact of the proposed activities on the scenic qualities of the area.

See application

Guidance Document for **Aquaculture Operations Plans**

Anyone conducting aquaculture operations in RI must comply with all applicable CRMC regulations (*Coastal Resources Management Program* §§ 1.3.1(A) and 1.3.1(K)) 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 typewritten. This Microsoft Word document is intended to be used by applicants 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** of individual, firm, partnership, association, academic institution, municipality, or corporation who is principally responsible for the aquaculture operation or activity; if corporation, specify and include names of all owners/partners.

Aquidneck Island Oyster Company

152 Winter Street

Wakefield, RI 02879



2. **CRMC file number** for the facility; new applications will be assigned a file number by CRMC. Additionally, list any past CRMC file numbers related to the current application.
2018-09-033
3. **DEM Aquaculture License number** (applicable if products are offered for sale); new applicants will need to obtain the DEM aquaculture license after an aquaculture assent is issued.
4. **Type of facility** (e.g., commercial lease site, upweller, experimental site, research, commercial viability) and **nature of operation** (i.e methodology used such as floating gear, submerged cages, bottom gear ect.).

Commercial shellfish aquaculture lease primarily using floating gear. Bottom cages, clam nets, and suspended gear are utilized secondarily.

5. **Location of facility** (include aerial or chart depicting exact location)
 - a. Adjacent town:
Portsmouth
 - b. Water body:
Sakonnet River, Narragansett Bay
 - c. Lat/long coordinates and size of facility:
3 acre lease, lat/long included in diagrams below.
6. Identification of all **species of shellfish** grown at the facility. Acknowledgement that the applicant will follow Biosecurity Board seed protocols should be included.

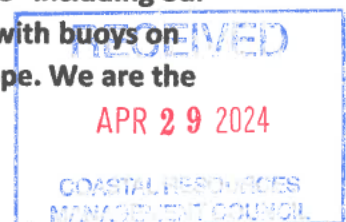
Our farm utilizes floating and bottom gear to commercially culture the eastern oyster as well as quahogs/surf clams and bay scallops off the west bank of the Sakonnet River. Seed are be purchased from established and approved hatcheries following Biosecurity Board protocols.

7. Description of **types of structures, gear and methods** used at the facility (e.g., rafts, pens, cages, tanks, upwellers, docks) and their locations on the site. Include a sketch/site plan that details a cross-section of structures as they appear in the water column including proximity to surface and bottom with a depth profile at mean low water and mean high water. Include maximum number of cages proposed and the size of the cages proposed.
20 units of 250, floating polyethylene cages from a floating longline system in the water column, and anchored on both ends. Bags will vary in mesh size to maximize flow, while ensuring no loss of product. Additionally up to 50 bottom cages, clam nets and lantern nets as needed.
8. Describe a plan for how the site will be **built out, accessed, and maintained**. Including the expected level of activity (seasonal, weekly, and/or daily).
Farm will continue to be built/accessed/maintained daily as weather permits year round.
9. Description of the **methods and equipment used to identify and mark site**.
The four corners of the commercial aquaculture site are marked using the standard



- 11inch pot buoys with written notation marking in 3 inch letters "CRMC" including our file number when available.**
10. 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.
11. Description of ***practices and procedures used*** during the growth, harvest, storage, transportation, and sale of the cultured species. Including any offsite activities necessary for the operation.
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.
12. For operations that will use ***floating gear***:
- a. Description of the mitigation or deterrent measures that will be used to minimize the potential pollution impact of birds and/or mammals.
Product is harvested from gear with no observed bird/mammal interaction.
 - b. Description of a plan for re-submergence after air drying before harvest.
Drying events are well documented, and shellfish are not harvested for sale from bags that have been dried within two weeks.
13. Indicate the ***projected per unit area yield*** of harvestable product and the ***applicant's capability*** to carry out the proposed activities.
300,000 shellfish/acre farmed. Applicant harvested ~300,000 shellfish using roughly 1.5 acre in 2023.
14. Description of a ***plan for safety and security of equipment***, including appropriate marking of equipment and lease area. Incorporate a ***storm preparedness and response plan*** that accounts for the safety and security of all aquaculture equipment and any measures that will be taken in the event of a significant storm or other adverse weather conditions impacting the site.

The four corners of the commercial aquaculture site are marked using the standard 11inch pot buoys with written notation marking in 3 inch letters "CRMC" including our file number when available. Additionally floating lines will be marked with buoys on the north and south. Flipfarm bags are permanently affixed to 1inch rope. We are the



only flipfarm users in the area, and thus if gear is found it is clear whose it would be. We have connections on both sides of the Sakonnet River who we would call to help us locate gear pending any damage from a potential storm.

15. Procedures for ***maintaining records:***

- a. For operations using seed acquired from **out-of-state:**
All out of state seed purchases will go through the approval of the Biosecurity Board pending disease certifications from the relevant hatchery.

16. Procedures for ***maintaining records:***

- a. For upwellers/seed-growing facilities in prohibited waters:
 - i. 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, <20 mm for quahogs):
Seed moved from FLUPSY in prohibited water to our lease will be kept separate from other cohorts. Oysters will be graded as necessary and moved to the lease before they reach 32 mm, and records will be kept of all movements from FLUPSY to lease. Exact bags and movements will be tracked in a spreadsheet to ensure product is cultured for at least 6 months in approved water's before being sold. Any seed sold will include a bill of lading that includes verbiage alerting the purchaser the date, size, source, as well as the fact that seed was grown in prohibited waters, and the time required to maintain the product in approved water's prior to sale. Records maintained indefinitely.

17. Procedures for ***maintaining records:***

- a. For operations using seed from prohibited waters, or operations using shellfish obtained from a third party that originated as seed from prohibited waters:
 - i. Detailed description of demarcation methods and record-keeping practices used at the lease site to ensure that animals have been cultured at least six (6) months in approved waters, prior to sale, including:
 - 1. Detailed record-keeping practices specifying date, source, average size, and amount of seed; and
See above
 - 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.
See above
- b. 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.
See above

