

Benjamin Goetsch

From: Benjamin Goetsch <bgoetsch@crmc.ri.gov>
Sent: Tuesday, May 7, 2024 2:23 PM
To: 'Kyle Reichman'
Subject: Riechman 2023-11-055 PD Report.pdf
Attachments: Riechman 2023-11-055 PD Report.pdf

Dear Kyle:

Enclosed is the report from the Preliminary Determination Meeting held last month at the Jamestown Town Hall. Please review the suggestions, comments and concerns section of this report.

While it is completely up to you if you want to incorporate the suggestions contained in this report in your full application, I strongly recommend that you incorporate the changes suggested. Please do not hesitate to contact me at 401 783-3370 if you have any questions.

Sincerely,

Benjamin J. Goetsch, Aquaculture Coordinator
Coastal Resources Management Council



State of Rhode Island
Coastal Resources Management Council
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**RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL
REPORT OF FINDINGS -- PRELIMINARY DETERMINATION**

STATEMENT OF LIMITATIONS

The contents of this staff determination report shall be valid only for the period on and preceding the date of this report. This report is neither an approval nor denial of the subject proposal. It is an evaluation of CRMC regulations in effect as of 4/26/2024 as they pertain to the below stated proposal, including preliminary staff recommendations.

Modifications to the below stated proposal may, upon the discretion of the CRMC, render this determination null and void.

APPLICANT INFORMATION

NAME: Kyle Reichman **CRMC FILE NO.** D2023-11-055
LOCATION: Dutch Harbor
CITY/TOWN: Jamestown

CONTACT PERSON(S) & ADDRESS:

Kyle Reichman
7 Chestnut Street
Newport, RI 02840

PRELIMINARY REVIEW INFORMATION

PROPOSAL: Oyster/Bay Scallop Aquaculture using floating and submerged gear

PLAN(S) REVIEWED: Nov 17, 2024, Kyle Reichman

INVESTIGATOR Ben Goetsch, Aquaculture Coordinator

DATE 4/10/2024 **TIME** 5:00pm

Location: Jamestown Harbor Commission, Town Hall

SUMMARY OF FINDINGS

CRMC JURISDICTION: YES
TYPE WATER: 4, Multi-purpose

NAME: **Reichman**

CRMC FILE NUMBER: **D 2023-11-055**

For the purpose of this review the coastal feature(s) shall be : Submerged land

Applicability of Red Book and SAM Plans (as amended):

Red Book Sections: 1.3.1(K)

SAMP: NA

STAFF CONCERNS/COMMENTS/INFORMATION REQUIREMENTS:

This preliminary determination (PD) application was reviewed at the April 2024 Jamestown Harbor Commission meeting. Prior to that meeting, a scoping session was held with the three neighboring aquaculture operators (Brad Boehringer, Nick Papa, and Adam Silkes) and a representative from Watson Farm (Max Sherman). This report will cover the discussions from both meetings.

This application is for a 3-acre oyster and bay scallop farm using eleven horizontal lines for various gear types in Type 4 waters. The application proposes using the FlipFarm low-profile floating baskets, floating bags, floating tumblers, lantern nets and bottom cages. Most of the site would be for the FlipFarm baskets with nine out of eleven lines dedicated to that gear type. DEM DMF worked with the applicant early on to identify a site that they had no objection to. DEM did not participate in the PD meeting but communicated with the applicant and Staff that the proposal did not present any concerns for them given the impact to sensitive habitat like eelgrass would be minimal. The location of the proposed site is also set within the open space between several other farms where other activities water-dependent uses are less likely to occur.

The other aquaculture operators had several concerns about the proposal. These concerns were primarily related to their ability to access and expand their sites in the future, and the cumulative effect of more aquaculture development on the growth rates of their animals through increased competition for food resources. There was some discussion of possible commercial conching in the area, however a follow up email from Katie Eagan, Chair of the MFC SAP, indicated there were “no significant issues” with the application in that location. Several of the other operators suggested an alternative location for the proposal to the south within the open space between the Bazarnick and Pinheiro leases. Staff believes either site may be feasible, but this PD report will only address the site as applied for in this current application. Pursuing the alternative site to the south would require another PD application in order to pursue a full application there.

Notice of the PD meeting was sent out on the CRMC Aquaculture Listserv 30 days ahead of the meeting date. One email was received in response from Sharon Prudie on West Wind Drive which stated that: “...there are now many oyster farms in Dutch Harbor, many more than in other parts of Jamestown. The addition of another farm would only add to the concerns we've expressed in the past - less space for water recreation, more debris landing on shore (sometimes in front of our house), more chance for disease as occurred at one of the Dutch Harbor farms last year, more shore birds roosting on cages, and more commercial boat traffic as the farmers go to and from their farms daily.”

The PD meeting itself resulted in little discussion and revealed very few issues with the application. One mariner in attendance had concerns about sail boats navigating into the harbor near the aquaculture area

NAME: **Reichman**

CRMC FILE NUMBER: **D 2023-11-055**

with another farm added. When the precise location of the proposal was shown to him, he stated that he did not have concerns given the location was behind other farms and did not extend any further West than the existing leases (i.e. the Silkes site). This fact should be emphasized and clearly shown in a full application to avoid confusion.

Recommendations for full application:

1. Use location maps showing and detailing distances from all other approved farms and shoreline.
2. If possible, work with the other farmers in the area to coordinate and ensure that any buffer zones between leases are satisfactory to all to avoid objections. Please note, it may be necessary to adjust corners and the overall lease size to accommodate agreeable buffer zones. 100 ft buffer zones should be more than adequate based on Staff experience.
3. If possible, create fairways that can be used to access the shoreline by the public, particularly for the users of the Watson farm landing on the beach. They need not be marked on the water but should be identified in plans if possible.
4. Show dimensions for all gear types in diagram form or annotated photos.
5. Expect objections from residents of West Wind Drive and possibly other members of the community. In a full application, address the concerns related in the Prudie email where possible. Reaching out to concerned residents in the community before submitting a full application is recommended by Staff, but not required. It should be noted that residents of West Wind Drive were involved in mediation with the previous owner of Walrus and Carpenter (WC) that resulted in relocating the old WC site to a new location which they agreed not to object to. A comparison of the current proposal and the new WC site (with regards to size, gear type and the distance to West Wind Drive) might be useful information to include in a full application.
6. On location maps, use the Jamestown Harbor Management Plan to show and detail distances from any CRMC approved mooring fields.
7. For purposes of Army Corps review and consultation with NMFS, please include the following details:
 - a. List the number, types, and either diameter or square footage of each kind of bottom anchor you plan to use; and
 - b. Provide a total calculation of all vertical lines, both for bottom cages and anchoring systems. Include diameter and breaking strength if known.

SIGNATURE: _____



AQUACULTURE COORDINATOR