



**RHODE ISLAND**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**DIVISION OF MARINE FISHERIES/DIVISION OF FISH AND WILDLIFE**  
3 Fort Wetherill Road  
Jamestown, Rhode Island 02835

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November 18, 2025

Benjamin Goetsch  
Aquaculture Coordinator  
Coastal Resources Management Council  
4808 Tower Hill Road  
Wakefield, RI 02879

Re: Bradley Boehringer #2025-06-048

Dear Mr. Goetsch:

The Rhode Island Department of Environmental Management (the Department), through the Division of Fish and Wildlife (DFW) and Division of Marine Fisheries (DMF), has received and reviewed the application submitted by Bradley Boehringer, for a 3.5-acre aquaculture lease expansion to the current 7.8-acre assent CRMC # 2019-12-055. The proposed assent would be used for growing Eastern oysters (*Crassostrea virginica*) and Bay (*Argopectins irradians*) scallops using Flipfarm gear and deep-water bottom cages, in Dutch Harbor in Jamestown, Rhode Island.

Various species of wading birds, gulls, and terns may be attracted to the floating cages both as foraging and roosting opportunities. DFW encourages the applicant to explore floating gear designs that deter roosting. DFW will not support moving deterrents, scarecrows, etc. that displace non-target species from the lease and surrounding area. Lethal removal or depredating birds requires authorization from DFW and will not likely be supported. Additionally, installation of exclusion devices or deterrents will be considered lease modifications and will need to be approved, as some versions are known to have lethal implications for diving ducks. The applicant will be legally responsible for any take of migratory birds that is caused by unapproved exclusion devices.

A shellfish resource survey was conducted on October 3, 2025, within the proposed new footprint (3.5-acres). Survey results indicated a mean hard clam (*Mercenaria mercenaria*) density of  $0.07 \pm 0.05$  clams per  $m^2$ , with a mean hinge width of  $52 \pm 1$  mm (range: 48 – 52 mm). The substrate consisted of sand/silt with a cover of *Crepidula fornicata*, and no eelgrass (*Zostera marina*) was observed. These results fall below the adult hard clam population density threshold of  $0.8 \text{ ind}/m^2$  and  $2.0 \text{ ind}/m^2$  considered necessary to sustain hard clam populations in Narragansett Bay.

The DMF and DFW believe that the adverse impacts to marine fisheries and wildlife and their habitat from the proposed modification would be minimal. As such, the DMF and DFW's acceptance of the current proposal is specific to the location (provided by the coordinates) and specifications outlined in the application.

Sincerely,



Jason McNamee, PhD  
Deputy Director, Bureau of Natural Resources