



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

August 10, 2026

Regulatory Division
File Number NAE-2024-00200
CRMC Application Numbers: 2001-02-025 and 2004-05-024

John and Cindy West
Cedar Island Oyster Co.
5 Plantation Drive
Saunderstown, RI 02874
Westnest5@verizon.net

Dear Mr. and Mrs. West:

The U.S. Army Corps of Engineers (Corps) has reviewed your Rhode Island Coastal Resources Management Council (CRMC) application. You requested to modify two existing Eastern oyster (*Crassostrea virginica*) cultivation sites in Point Judith Pond, Narragansett, RI. The project will convert bottom-gear and bottom-planting operations to a modern, low-profile FlipFarm® floating basket system. This review is based on the two enclosed, untitled, and undated figures.

Based on the information you have provided, we verify that the Pre-Construction Notification (PCN) activity is authorized under the March 15, 2026, Nationwide Permits (NWP) 48, Aquaculture, and NWP 3, Maintenance. The NWPs are available at <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Rhode-Island-General-Permit/>

This authorization expires on March 15, 2030. You must commence or have under contract to commence the work authorized herein by March 15, 2030, and complete the work by March 15, 2031. If not, you must contact this office to determine the need for further authorization, and we recommend you contact us before the work authorized herein expires. Please contact us immediately if you change the plans or construction methods for work within our jurisdiction as we must approve any changes before you undertake them. Performing work within our jurisdiction that is not specifically authorized by this determination or failing to comply with the terms and conditions of the NWPs may subject you to the enforcement provisions of our regulations.

This authorization does not obviate the need to obtain other federal, state, or local authorizations required by law. Applicants are responsible for applying for and obtaining any other approvals prior to construction. If you commence or are under contract to commence this activity before the date that state permits expire or are revoked, you will

have 12 months from the date of the expiration or revocation of them to complete the activity under the present terms and conditions.

You must comply with all the general and special conditions of the NWP, as well as the Special Conditions below:

1. Seasonal gear including cages, lines and buoys shall be removed during the off-season or when not in use. The gear shall be stored in upland areas to minimize the effects of habitat exclusion, loss, or alteration.
2. All gear, including cages, floats, and buoys, shall be marked with the permit ID as well as with the permittee's name and contact information. Markings shall be in a manner that will stand up to the elements over time.
3. The gear site shall be visited by an attendant surface vessel at least once a week, site conditions permitting. The Permittee shall also check the gear after severe storm events that have the potential to dislodge the gear.
4. If during an inspection, gear is found to be damaged or otherwise compromised and is deemed to pose a risk for wildlife entrapment, the gear should either be immediately repaired/reinstalled on the spot or, if this is not possible, the gear should be removed and repaired ex situ.
5. The permittee is required to immediately report the entanglement of ESA listed species in the aquaculture gear to the U. S. Fish and Wildlife Service (New England Field Office; newengland@fws.gov or (602) 223-2541 and the NOAA Fisheries Protected Resources Division, Gloucester, MA at (978) 281-9328. Reports should include Corps permit number, reporter name and contact information, date, time, photos, what type of gear the species was entangled in, and descriptions of any visible injuries if released alive. Efforts should be made to avoid disturbing dead wildlife until contact is made with appropriate staff.

Should you have any questions related to this NWP verification, please contact Elizabeth Waterhouse, of my staff, at (978) 318-8943 or elizabeth.c.waterhouse@usace.army.mil

We continually strive to improve our customer service. For us to better serve you, we would appreciate completing our Customer Service Survey located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mason Gamble', written in a cursive style.

Mason Gamble
Chief, CT/RI Section
Regulatory Division

Attachments

cc:

Benjamin Goetsch, RI CRMC, Wakefield, RI; bgoetsch@crmc.ri.gov
Neal Personeus, RI DEM, Providence, RI; neal.personeus@dem.ri.gov
Lisa Turner, RI CRMC, Wakefield, RI; lturmer@crmc.ri.gov