

In accordance with notice to members of the Rhode Island Coastal Resources Management Council, a meeting was held on Tuesday, March 13, 2012 at 6:00 p.m. in Conference Room B, Administration Building, One Capitol Hill, Providence, RI.

Members Present

Anne Maxwell Livingston, Chair
Paul Lemont, Vice Chair
Raymond Coia
Donald Gomez
Ronald Gagnon, RIDEM
Guillaume de Ramel
Tony Affigne

Staff Present

Grover J. Fugate, Executive Director
Jeffrey M. Willis, Deputy Director
David Beutel, Aquaculture Coordinator

Brian Goldman, Esq.

Members Excused

Bruce Dawson
Dave Abedon
Mike Hudner

1. **COASTAL EDUCATIONAL SERIES**

Dave Beutel, the Aquaculture Coordinator for the Coastal Resources Management Council, made a presentation to the Full Council updating them on the status of Aquaculture in Rhode Island at this time and also by distributing the latest CRMC Aquaculture Report packet.

2. **CALL TO ORDER**

Chair Livingston called the meeting to order at 6:48.

3. **APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

Chair Livingston called for approval of the minutes from the previous meeting. Vice Chair Lemont motioned, seconded by Mr. Coia, for approval of minutes from February 28, 2012 meeting. Motion carried on unanimous voice vote.

4. **SUBCOMMITTEE REPORTS**

There were none.

5. **STAFF REPORTS**

Mr. Fugate updated the Council on recent events, one being the Northeast Regional Ocean Council conference held at Roger Williams University regarding regional marine spatial planning.

Mr. Goldman updated the Council on the Koolen court case stating that the Bankruptcy court had granted the CRMC's motion to be exempt from the automatic stay provisions in the Koolen matter and would be returning to Superior court on the contempt motion.

Mr. Goldman informed the Council that he had been in Superior Court on the Ann Street Pier matter and the court denied the abutting property owners to grant an injunction to stop the CRMC proceedings and that CRMC is free to move forward on the Ann Street Pier matter.

Chair Livingston updated the Council on the CRMC budget stating that she and Mr. Fugate had gone before the House Finance Committee on March 8th and were scheduled to go before the Senate Finance Committee that week.

6. APPLICATIONS WHICH HAVE BEEN OUT-TO-NOTICE FOR 30 DAYS AND ARE BEFORE THE FULL COUNCIL FOR DECISION:

2011-12-027 ADAM SILKES – Construct and maintain: a commercial viability mussel long-line. This application is for step two of the commercial viability aquaculture process. There has been a permitted mussel long-line at this location since April 2011. Located at West Passage, North Kingstown, RI.

Adam Silkes was present. Mr. Beutel gave the Council a brief overview stating that Mr. Silkes was applying to extend his commercial viability permit for another 18 months. Mr. Beutel stated that there were objections to the application to extend the viability permit due to the fact that the adjacent aquaculturists disagreed with the application for a 50-acre farm in the same area. Mr. Beutel stated that the Town of North Kingstown had provided a letter of no objection. Mr. Beutel stated that he had read Mr. Silkes report on the first year of the work in the water and recommended approval for the second half of the project based on the fact that the objections were for a larger operation that has not been applied for as of yet. Vice Chair Lemont asked Mr. Beutel about the mussels migrating onto the other farms' apparatus. Mr. Beutel stated that the mussels are native to Narragansett Bay and there was a possibility that the mussel population could increase in this area but that 1,000 square feet would not make a difference. Mr. Gomez asked about the future of the commercial viability site. Mr. Beutel confirmed that the site could be a location for a farm if the site is tested as viable. Mr. Beutel confirmed that the viability site was testing both site and technique. Mr. Fugate stated that one of the tests was using a technique to minimize crabs getting into the mussels thereby affecting its marketability out of Rhode Island.

Adam Silkes was sworn in and identified himself for the record. Mr. Silkes explained that the mussels he is using in the viability site and plans to use if a larger lease is approved, came from his Dad's successful oyster farm in the Narragansett Bay. Mr. Silkes stated that even though his Dad's farm is laden with mussels, they are able to produce a good crop. Mr. Silkes stated that he did not feel that his mussel farm would have any impact on the other aquaculture sites in the vicinity with much discussion following. Mr. Beutel stated that he recommended approval of the extension of the viability site but reserved opinion on the future larger operation at this point. Chair Livingston asked about the benefits of the commercial viability project if the larger farm is not permitted. Mr. Silkes stated that the benefit would be experience and data. Mr. deRamel asks for clarification on location using map provided in application. Mr. Silkes explains his site selection criteria stating it's sheltered from the weather, the water if a uniform depth and there is not a lot of recreational traffic in this area.

Russell Blank was sworn in and identified himself for the record. Mr. Blank stated that his aquaculture site is in Rome Point which is 300 yards west of longline site. Mr. Blank stated that his farm does not currently have major problems with mussels. Mr. Blank stated that he did not have an issue with another aquaculture site just with the species. Mr. Blank explained his

objections stating that he felt the mussels would choke out his oysters stunting their growth, creating stress and increasing mortality rate. Mr. Blank stated that he had met with Mr. Silkes and discussed the option of using a different area of the bay for the mussel site south of Dyer Island. Mr. Silkes stated that he did not think it was wise to move his site in the middle of his experiment.

Mr. Affigne brings about discussion on time frame for approval process and test period. Mr. Beutel and Mr. Fugate explained the commercial viability application process. Mr. Silkes explained that he is testing the growth rate of the product at the site and the use of the particular gear. Mr. Beutel explained the harvesting process with commercial viability permits stating that harvesting is a one time event, after that harvest, the permit is null and void.

Mr. deRamel and Mr. Affigne ask for greater detail if application comes in for larger farm.

Vice Chair Lemont motioned, seconded by Mr. Gomez, to approve the commercial viability extension authorizing it through the end of 2012. Motion carried on a unanimous voice vote.

7. ENFORCEMENT REPORT – January 2012
CATEGORY “A” LIST

None held.

8. ADJOURN

Vice Chair Lemont motioned, seconded by Mr. deRamel, to adjourn. Motion carried on unanimous voice vote. Meeting adjourned at 7:35 p.m.

Respectfully submitted,

Lisa A. Turner
Recording Secretary