

In accordance with notice to members of the Rhode Island Coastal Resources Management Council, a meeting was held on Tuesday, November 26, 2013 at 6:00 p.m. in Conference Room A, Administration Building, One Capitol Hill, Providence, RI.

Members Present

Anne Maxwell Livingston, Chair
Paul Lemont, Vice Chair
Ronald Gagnon, RIDEM
Mike Hudner
Donald Gomez
Tony Affigne
Jerry Sahagian
Joy Montanaro

Staff Present

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

Brian A. Goldman, Esq.

Excused

Guillaume deRamel

1. CALL TO ORDER

Chair Livingston called the meeting to order at 6:21 p.m. (delayed due to traffic situations throughout the state.)

2. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Vice Chair Lemont motioned, seconded by Mr. Sahagian, for the approval of the minutes of the meeting on November 12th, 2013. Motion carried on a unanimous voice vote.

3. SUBCOMMITTEE REPORTS

Vice Chair Lemont read out program changes approved by P&P Sub at their meeting of 11-20-2013 and is recommended for Council concurrence to begin the rule making process in accordance with Administrative Procedures Act: RICRMP Section 110 App for Cat A and Cat B Council Assents amend existing Section 110.C. Program Changes will begin Public Notice process.

4. STAFF REPORTS

Mr. Fugate reported to the Council on the following issues:

- A Beach SAMP Stakeholder meeting was held on November 25, 2013 and Margaret Davidson of NOAA gave presentation on the national efforts for adaptation and resiliency. Also, Jonathan Riener, North Kingstown Town Planner also spoke about the efforts of the Town of North Kingstown regarding sea level rise.
- On December 9, 2013 a Beach SAMP Stakeholder meeting will be held at 6 p.m. at Bay Campus.
- Copies of the Ocean SAMP documentary DVD were passed out to Council members

Chair Livingston stated that the application for Paul and Carl Mercurio was continued and would not be heard.

5. APPLICATIONS WHICH HAVE BEEN OUT TO 30 DAY NOTICE AND ARE BEFORE THE FULL COUNCIL FOR DECISION:

2005-06-029 MALABAR HOLDING CORPORATION -- Subdivide the existing authorized Marina Perimeter Limit. Located at plat 43, lot 5; 1 Little Harbor Landing, Portsmouth, RI.

Mr. Willis gave a brief overview of the application stating that the applicant was asking to take a previously approved existing Marina Perimeter Limit and make it into two separate MPLs. Mr. Willis explained that when the assent was issued in 2005 it was not specified that the MPL was for two separate corporations and the situation needs to be rectified. Mr. Sahagian asked if the staff was still recommending the original four stipulations. Mr. Willis confirmed that the original four stipulations would be incorporated into the new permit. Mr. Sahagian motioned for approval of application. Chair Livingston asked the applicant to if they wanted to speak. Attorney Steve McInnis, representing Malabar Holding Corporation was sworn in and identified himself for the record. Mr. McInnis explained that the owner of the other ½ of the land, Talaria Real Estate, received notification of hearing and was not objecting to the proposal. Mr. McInnis explained that the two businesses involved were very different, one being a marine operating business and Talaria, which is a marina, so the MPLs would be used in different capacities for each business. Vice Chair Lemont discussed access to the area and Mr. McInnis confirmed that the fairway would remain available for passage. Mr. Hudner seconded Mr. Sahagian motion to approve. Motion to approve carried on a unanimous voice vote.

2013-04-057 ADAM SILKES -- Construct and maintain: a long line blue mussel farm of approximately 8.25 acres off of the west shore of Jamestown; West Bay Passage of Narragansett Bay.

Mr. Beutel gave a brief overview of the application stating that the operation would be an 8.25 acre blue mussel farm using a suspended long line method to be located southwest of Watson farm in water deep enough so that eel grass will not grow. Mr. Beutel stated that there had been a successful viability application and three preliminary determination applications to get to this point due to the location of the operation. Mr. Beutel stated that Mr. Silkes had successfully addressed all questions and worked diligently with Save The Bay and the Jamestown Harbor Master to determine a location that would have the least conflict. Mr. Beutel stated that the one objection to the application was due to species, Blue Mussels, being grown in Narragansett Bay. Mr. Beutel stated that Blue Mussels are native to Narragansett Bay and that they are harvested wild but growing them is a more efficient way producing blue mussels. Mr. Beutel stated that the RI Marine Fisheries Council overrode the objection of the Shellfish Advisory Panel. Mr. Beutel explained that based on work of Kristen Cade of URI regarding current patterns which showed mussels would not be moved to objector's area. Mr. Beutel stated that based on Mr. Silkes work to alleviate all concerns and has met all program requirements, he recommended approval of application. There was discussion on location of operation, depth of operation and navigation over the lines and between two operations. Mr. Beutel clarified for Mr. Affigne the process of the Shellfish Advisory Plan and the recommendation process to the RI Marine Fisheries Council. Mr. Beutel confirmed that the navigational situation was reviewed by both the Coast Guard, offering no comment, and the Jamestown Harbor Master who was in favor of the operation. Mr. Beutel stated that he was convinced that the operation would not be a hazard. With confirmation that the applicant met all CRMC standards and the operation is consistent with the program, Mr. Sahagian motioned approval of the application. Mr. Gomez seconded the

motion to approve. There was discussion on where the mussels were marketed. Adam Silkes and Bill Silkes were sworn in and identified themselves for the record and explained that there was a growing demand for locally grown shellfish and other foods. Mr. Silkes explained that the mussels were called blue golds and were received very well by market buyers as they are locally grown. Vice Chair Lemont moved the question. Motion carried on a unanimous voice vote.

10. ADJOURN

Vice Chair Lemont, motioned, seconded by Mr. Sahagian for the meeting to be adjourned at 6:47p.m.

Respectfully submitted,
Lisa A. Turner, Recording Secretary