

In accordance with notice to members of the Rhode Island Coastal Resources Management Council, a meeting was held on Tuesday, May 27, 2014 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
Raymond Coia
Joy Montanaro
Tony Affigne
Mike Hudner
Paul Beaudette

Staff Present

Jeffrey M. Willis, Deputy Director
Danni Goulet, Infrastructure Coordinator
David Beutel, Aquaculture Coordinator

John Longo, Legal Counsel

Members Excused:

Jerry Sahagian
Don Gomez

1. CALL TO ORDER

Chair Livingston called the meeting to order at 6:00 p.m.

2. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Vice Chair Lemont motioned, seconded by Mr. Coia, for approval of the minutes for May 13, 2014. Motion carried on a unanimous voice vote.

3. SUBCOMMITTEE REPORTS

None

4. STAFF REPORTS

Mr. Willis reported to the Council that CRMC has received funding with the much appreciated help of Senator Jack Reed, at a ceremony for the Winnapaug Pond for dredging after Hurricane Sandy and habitat restoration. The funding was in the amount of \$800,000.

5. APPLICATIONS REQUIRING A PUBLIC HEARING FOR SPECIAL EXCEPTION BEFORE THE FULL COUNCIL:

2014-03-029 DEPARTMENT OF ENVIRONMENTAL MANAGEMENT -- Construct a stone revetment at Camp Cronin that is approximately 70 feet wide and 300 feet long. The proposed revetment is in Type 1 waters and requires a Special Exception to Section 300.7.D.1. Located at plat M, lots 165, 172; Ocean Road, Narragansett, RI.

Mr. Goulet gave brief overview of project stating that a heavily used public access area adjacent to the Point Judith Harbor of Refuge. Mr. Goulet stated that a Special Exception was required to CRMC regulations for continuation of work that the US Army Corps of Engineers is doing for repairs

subsequent to Hurricane Sandy. Mr. Goulet stated that staff's recommendation was that DEM met all the Special Exception requirements and CRMC staff recommended approval of the project with staff stipulations which included provision of pedestrian passage. Mr. Goulet stated that it was staff opinion that a larger parking area was in order for the heavy use of the access way. Mr. Goulet confirmed for Mr. Beaudette that the lot will be of permeable material.

Mr. James McGinn, Spv Civil Engineer with Division of Planning and Development and Mr. Andreas Aveledo, Project Manager, both of RIDEM were sworn in and identified themselves for the record.

Mr. McGinn briefly explained that there was a limited window to marry their project with that of the US Army Corps of Engineers project which is fixing 200 feet of the coast and shoreline and RIDEM will extend that another 300 feet further to protect the same property. Mr. McGinn explained that the photos provided showed the aftermath of Hurricane Sandy depicting the limited access provided to public users. Mr. McGinn stated that the ACOE will be installing a stone revetment using large stone and then in front using cobble which is designed to move and dissipate wave energy before it impacts the larger stone.

Chair Livingston opened the public hearing on the Special Exception and hearing no comments Mr. Coia motioned, seconded by Vice Chair Lemont to close the hearing. Motion carried with Mr. Gagnon, RIDEM representative, abstaining. For the vote to approve the Special Exception there was a roll call vote with unanimous approval. Mr. Gagnon abstained.

Vice Chair Lemont motioned, seconded by Mr. Hudner, to approve. Motion carried on a unanimous voice vote with Mr. Gagnon abstaining. Motion carried.

6. **APPLICATIONS WHICH HAVE BEEN OUT TO PUBLIC NOTICE AND ARE BEFORE THE COUNCIL FOR DECISION:**

2013-11-065 IAN CAMPBELL -- Construct and maintain: a three acre aquaculture site to grow oysters, littlenecks, and bay scallops in the area between Beef Island and High Point in Point Judith Pond, Narragansett, RI.

Mr. Beutel gave an overview of the aquaculture project to the Council stating that Mr. Campbell was asking to grow oyster, hard clams and bay scallops near a sand bar area adjacent to a channel in Type 2 waters using cage culture, rack and bag culture and bottom culture. Mr. Beutel stated that all three methods were common to Pt Judith Pond and very successful. Mr. Beutel stated that extensive research was done by the applicant to find an area of little use in pond and that the application had received one letter of objection from the recreational shell fishermen. Mr. Beutel stated that CRMC staff did a site survey and caught zero quahogs refuting the objection. Mr. Beutel stated that the Town of South Kingstown sent a letter asking that the project be moved further away from navigational channel and issued their letter a few months ago. Mr. Beutel stated that he viewed the objection as non substantive and that staff recommended approval of application. Mr. Beutel stated that Pt Judith Pond's aquaculture percentage was only up to 3.5 % remaining well under the 5% threshold for pond

Mr. Campbell was sworn in and identified himself for the record and gave a brief statement thanking Mr. Beutel for his detailed description of the project. Mr. Campbell stated that his initial research project was highly successful and that he wanted to continue an area where he is not surrounded by two other aquaculture leases to better provide for his product. Mr. Beutel confirmed that one acre

lease of aquaculture would net approximately \$17,000 a year and that his lease fee to the state per year was \$450.00.

Mr. Affigne read one letter of objection into the record as it was not in the agenda package. Mr. Longo marked the letter for the record (A)

Vice Chair Lemont motioned, seconded by Mr. Coia for approval of the application as Mr. Beutel has deemed the objections nonsubstantive.

Motion carried on a unanimous voice vote.

2014-01-007 EAST BEACH FARMS -- Construct and maintain a 0.75 acre oyster farm in Quonochontaug Pond using bottom cages, wire trays, and floating cages. Located in Quonochontaug Pond, Charlestown, RI.

Mr. Beutel gave a brief overview of the application to the Council reminding them of the applicant's aquaculture before the Council stating that the applicant was requesting a modest expansion but one challenge in this pond is that he had to launch his boat every time he wants to work. Mr. Beutel confirmed that the viability farm did very well using floating growing cages, bottom cages and stackable racks, and that given the success in commercial viability it is logical that he pursues this. One letter of objection from neighbor, opposed to commercial fishery in Quonochontaug pond. Mr. Beutel stated that Mr. Arnoux has other leases in pond and that he is a leader in the industry and his project met all CRMC requirements. Mr. Beutel stated that any request made by CRMC, he complied with.

Chair Livingston asked about objection letters. Mr. Beutel explained that Mr. Gardner's letter of objection, hand written letter, was a part of the minutes of shellfish advisory committee, and not as an objection to the CRMC.

Mr. Gagnon stated that 10% of lease area that will be used is in conjunction with the Nature Conservancy for a restoration project going on in Quonochontaug pond, which is a RIDEM effort that is managed by Nature Conservancy. Mr. Gagnon stated that it will be easier for transferring within the pond and a good will gesture on Mr. Arnoux's part. No other aquaculture in this pond.

Mr. Arnoux is sworn in (Jim Arnoux) and identified himself for the record, thanking Mr. Beutel for his kind words. Mr. Arnoux explained his desire for using Quonnie stating that he wanted to expand out of Ninigret to mitigate risk of losing his entire business. Mr. Arnoux stated that the site was chosen partly because of its depth and that the commercial viability trial went so well in comparison to his Ninigret lease. Mr. Arnoux explained that it was next to a boulder bed and he did not see people near that side of pond. Mr. Arnoux stated that after two years, the oysters are more at risk for disease and being between two other leases there is greater risk.

Mr. Beaudette asked about water depth. Mr. Arnoux explained his reasoning for area and wanting a water level deeper in the winter time, stating that in the fall, he can reposition the gear; floating cages in deeper water for about 6 mos of the year.

Mr. Coia motioned, seconded by Mr. Hudner and Vice Chair Lemont, for approval. Motion carried on a unanimous voice vote.

7. **COASTAL EDUCATION SERIES**: James Boyd, Coastal Policy – Sea Level Affecting Marshes Model Presentation.

8. **ADJOURN**

Vice Chair Lemont motioned, seconded by Mr. Hudner, to adjourn. Motion carried on a unanimous voice vote.

Respectfully submitted,
Lisa A. Turner, Recording Secretary