

From: Joel Thomson <thomsonje@comcast.net>
Sent: Wednesday, February 7, 2018 11:38 AM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : 2017-11-086 P. Raso Request for Approval of Scallop and Oyster Farm - Segar Cove, South Kingstown

Mr. McManus,

It is noted the subject application will be reviewed at today's meeting of the Shellfish Advisory Panel. Please note we have concerns regarding the impact of the application on fin fishing and shell fishing in the designated area.

The area under review is used by many local fishermen, as well as for small commercial and recreational shell fishing. The restriction of use for this area will negatively impact the recreational and small commercial use of the Segar Cove area. This includes serious financial impact to small commercial shellfish operators who constantly face a diminishing access to safe, clean areas for their harvest. Please also consider that the placement of fixed, below surface gear will create a safety hazard for night fishing in the area.

Segar Cove is a resource which is not limited to waterfront homeowners, but is open to and used by the surrounding Matunuck community. It is also used by many others who enter from Point Judith Pond. I ask that you seriously consider the major, long term negative impact of placing a large, fixed commercial operation in Segar Cove and recognize its harm to all users of it.

Joel E. Thomson
Jane D. Thomson

288 Prospect Road
Wakefield, RI 02879

From: Ann Marie Hitchery <aml69@live.com>
Sent: Tuesday, February 6, 2018 7:16 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Aquaculture Application 2017-11-086, Raso, Potter Pond

Dear Mr. McManus,

We write in opposition of Aquaculture Application 2017-11-086, Raso, Potter Pond.

We own two boats and frequently use the area of Segar Cove where Mr. Raso proposes to expand his farming operation. It is a popular spot and heavily used by our family, as well as numerous others, for a variety of recreational purposes, including fishing - from early season

striped bass and snapper blues later in the summer, to clamming along the cove's shorelines.

The entrance to Segar Cove is narrow. With the additional workboat traffic that will be generated by the farm, along with the consumption of three acres of water space, the area will become hazardous for all parties.

Navigational charts aside, Potter Pond has very, very limited deep water areas for recreational use, including fishing and shell fishing. Please do not allow any further reduction of this open water space.

Sincerely,

Steve and Ann Marie Hitchery
92 Peninsula Road
Matunuck, RI
401-783-4615

From: gene corl <geneacorl@aol.com>
Sent: Tuesday, February 6, 2018 1:40 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Comments re proposed Perry Raso second oyster farm

Hate to see this Segar Cove quohog spot be taken away as well. The sandy bottom area where Mr Raso's current 9 plus acre oyster farm is, was a good area to easily rake - and take clams. Been gone for several years now.

Now his proposed second spot inside Segar is also a very good clean spot - well flushed, with more rocks. But still loaded with quohogs. You have to worker a little harder, rake a little deeper, but can get a nice reward.

Gene Corl
210 Washington St
Segar Cove
Matunuck

From: Walter Magee <mageewl@gmail.com>
Sent: Tuesday, February 6, 2018 2:13 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Enviromental impact of oyster farming

Dear Mr. McManus:

The environmental impact of oyster farming is well documented. I urge you to prove to the public that the limited food supply for the salt water pond area near Mantunuck has not already been

exceeded. Further expansion demand of this limited resource may be catastrophic for the residents. I have already observed decreasing clam and mussel populations. I am sure that the Department of Natural Resources maintains data on this critical information. Please delay further expansion of this oyster field until it is clear that further damage to Potter's Pond can be avoided. Please review the information in this website:

<https://www.omicsonline.org/open-access/ecological-consequences-of-oysters-culture-2332-2608-1000198.php?aid=83576>

Dr. Walter L. Magee Jr.
263 Osprey
Wakefield, RI
02879
401-788-3108
Mageewl@gmail.com

From: RICHARD MCCURDY <ram721@verizon.net>
Sent: Wednesday, February 7, 2018 11:36 AM
To: Mcmanus, Conor (DEM)
Cc: townccouncil@southkingstownri.com
Subject:[EXTERNAL] : File #2017-12-086, Raso Application

File # 2017-12-086
DEM Coordinator, Mr Conor McManus

Richard McCurdy
6 Sunset View Blvd
Wakefield RI 02879
401-789-4825

Dear Sir

Mr Raso's proposed oyster farm expansion (file #2017-12-086) should not be allowed. Not only will it effectively close off (or at least hinder) access to an area that many people have used for years (my own family for the past 56 years) to clam and fish, I believe it would also be a hazard for boating.

This proposed site, some 200'X625', extends out from shore about 300' and around 300' from the "gap" leading into the pond. This may seem adequate, but as a long time user of the pond I can assure you that in the warmer months traffic can be quite heavy and that area provides for a safety buffer when needed.

Mr Raso has already been given a substantial area of Potter Pond to use for his business, and I applaud him for it. But expanding his business into Segar Cove is a step too far.

Thank you for your time,
Richard McCurdy 401-789-4825

Please feel free to contact me
ram721@verizon.net

From: Joe Emidy <jpemidy@aol.com>
Sent: Wednesday, February 7, 2018 1:38 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Objection to Raso application for Segar Cove

Good day Mr. McManus, I write today in objection to any expansion of the oyster farm in Segar Cove / Potters Pond. More farming in the cove / pond will limit the recreational fishing and clamming in the area, also it will inhibit the safe navigation to boaters. As you probably well know that area of the pond produces a perfect habitat to the worm hatch that is essential to sustaining the growth of native fin fish (striped bass etc.)

With increased commercial oyster boats / barges that are very wide transversing the narrow channel and whirlpool area there is a significant safety risk to anyone trying to navigate that already dangerous stretch of water, it's an accident waiting to happen with increased traffic.

There are many families who enjoy clamming in the shallow area of the pond, including mine...these families and their memories to make should be respected over a commercial entity that has already encroached enough on the pond.

I also believe that if this application was being presented in any other time than the dead of winter, many more objections would be presented. Best Regards, Joseph Emidy

From: Margaret Schwab <mas7614@verizon.net>
Sent: Tuesday, February 6, 2018 2:27 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Raso Application

Dear Mr. McManus,

I am opposed to the Raso Application.

Perry Raso has been given a sufficient area of Potter Pond to develop his very successful business.

Potter Pond is a natural resource given to the people of Rhode Island.

It is used in a variety of ways by those who live in our beautiful state.

This is not a commercial area.Segar Cove will be changed forever if this application is approved.

Please do not let this happen.

Sincerely,

Margaret A. Schwab

150 Lake Avenue
Matunuck, Rhode Island 02879-6627
401-783-8322

From: Patty Brown <pattyann27@me.com>
Sent: Tuesday, February 6, 2018 5:37 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Raso Application

Dear Mr McManus.. I am emailing to express my concerns regarding the expansion of oyster farming into Segar cove. I have kayaked and clammed in the area of the present working farm in the adjoining cove. It is very noisy and busy with workers all day. To see this same operation move into the northern part of Segar cove is very disturbing. When kayaking in that area, it is like another world... pristine and silent. There is also much wildlife inhabiting that area with several osprey nests to enjoy observing. This would all be taken away by allowing a working oyster farm that area.

I hope further study is given to the impact of this oyster farm approval. Mr Raso already has a big operation in place. How much is enough? Others should be able to enjoy our beautiful resources, too.
Sincerely ,
Patricia Brown

Sent from my iPhone

From: Gary Wetmore <garywmore@yahoo.com>
Sent: Tuesday, February 6, 2018 7:59 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Raso Lease Application, Segar Cove, Potter Pond

Mr. Conor McManus,

I am writing to you to input my feeling on the Raso application for a 3 acre shellfish lease in Segar Cove on Potter Pond. I am opposed to the granting of this lease for numerous reasons some of which I understand do not have any bearing on the final decision for this lease. These include the lease being unsightly and noise created by workers and equipment in a location that is a quiet residential neighborhood would have a negative impact on our lives.

I fish and recreationally boat on Segar Cove in the immediate area of the lease regularly. Further the lease area is in direct site of my house and I see the activity there daily. There is a significant amount of recreational fishermen in the immediate area as well as Jet skiers, kayakers, paddle boarders, waterskiers and tubers and every other type of vessel imaginable. There are also commercial and recreational shellfish harvesters of natural set clams in Segar Cove in the area of the lease if not directly on it.

I have concerns that the area where the lease is requested as well as all of Segar Cove is a very important shared resource currently utilized by hundreds of people on a daily basis. Restricting the use of

the lease area to one business simply for financial gain in an area that is already seasonally crowded with multiple users does not seem like the proper use of our resources. Further I am concerned That closing down this area to boaters and condensing those users of the pond creates safety issues for the current users particularly towed devices and night time boaters. From an environmental standpoint I have concerns that crowding these three acres with stacked cages of shellfish will create pollution issues. I understand that oysters are filter feeders and to a large extent are beneficial to the water but at what density? They consume nutrients but they also deposit waste. The density of this method of shellfish aquaculture is many times what the natural density would be. Segar Cove does not flush well with the tide. Has this been considered? What is the potential risk of this operation. What does the waste from the oysters do to the immediate area? Will the other shellfish and aquatic life in the pond be impacted in a negative way?

While I appreciate the efforts of Mr. Raso in his aquaculture business I do not feel that the taking of this well utilized area from many people for the benefit of one business is in the public interest.

Thank you for your time and consideration on this matter. I understand this is not a simple decision and I am sure all of my concerns are already under consideration. if a site visit will help at all you and any other official is welcome to visit my house at 282 Prospect Road, South Kingstown any time.

Unfortunately, I am out of town on February 7, 2018 and will not be able to attend the meeting where this matter is being discussed. I ask that you accept this e mail from me in lieu of my attendance. If you have any need to communicate with me I check my email dilly and am available on my cell phone at 203-313-9220

Respectfully,

Gary K. Wetmore
282 Prospect Rd.
South Kingstown, RI
203-313-9220

From: Diane Rodriguez <dyrodriguezrn@yahoo.com>
Sent: Wednesday, February 7, 2018 12:01 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Raso/Segar Cove

Dear Mr McManus,

My husband and I are homeowners on Prospect Rd in Matunuck. I am writing to object to Perry Raso's application for another oyster farm in Segar Cove. My family and I use Segar Cove for recreational fishing, crabbing, and clamming, and we feel that another oyster farm will adversely effect our use of the pond. Thank you.

Diane and Pablo Rodriguez
860 Curtis Corner Rd
Wakefield, RI 02879
email: dyrodriguezrn@yahoo.com

From: Jennifer Lubic <jlubic@nssk12.org>

Sent: Tuesday, February 6, 2018 2:21 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Segar Cove

Dear Sir,

I am very concerned about the proposed shellfishing farm in Segar Cove. My four children and I spend a lot of time kayaking, fishing, clamming and boating in that pond. The cove becomes a very busy place in the summer and with much less space available, I am fearful that summer fun will become "an accident waiting to happen."

I take issue with Mr. Raso's assertion that there is not much going on in the cove. There are many clambers and kayakers and people fishing and boating in that pond from Memorial Day until Labor Day and beyond.

I hope Segar Cove can remain open for all to enjoy!

Best,

Jen Lubic

--

Jennifer Lubic
Reading Specialist/consultant
Narragansett Elementary School

Jlubic@NSSK12.org

From: Paul Hooper <paul@portaphone.com>
Sent: Wednesday, February 7, 2018 10:01 AM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Segar Cove Oyster Application

Good Morning Mc Manus,

My name is Paul Hooper and have lived on Potter Pond channel for over 50 years now.

I write you this morning to object to the Segar Cove application for a new oyster farm in Potter's.

An avid fisherman of the pond, I fish it all year. Even the other day I was breaking ice with my 14' Carolina skiff fishing for hold over stripped bass. If this new license is approved it will deny all access

not only a great hold over fishery but one of the prime spots for the "worm hatch" in the Spring. Once the hatchery goes in it will be off limits to fish and then will come the kelp floaters that will take a beautiful cove and turn it into noisy commercial eyesore.

Besides that, I have found Segar Cove to be one of the few places that is very productive for trot lining for blue claw crabs in the latter Summer months. For some reason the brackish water seems to attract the crabs and if you allow the farm to go in it will deny me access to lay my line on the on the West side of the peninsula.

Not taking into account there is very few areas that boaters can use channel free it is one of the few areas in Potters Pond that has consistent deep water.

Before Mr Raso was allowed to monopolize the South Coast of Potters, those flats were a pristine area to sight fish for stripped bass. It was a great area to walk the flats to stalk fish. Today it is a jungle of floating debris and impossible to fish. Gone is an estuary that all could enjoy. Please do let that happen up in back. Too many will loose for a few to benefit!

Amazing his applications always go in during the Winter months when the majority of the population who enjoy the area are gone to voice their opinion.

Thank you for your time!
Sincerely, Paul

Paul Hooper
636 Succotash Rd
Wakefield RI
C: 864-1544

From: Brett Cicchese <jcicchese@verizon.net>
Sent: Tuesday, February 6, 2018 7:40 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Segar Cove

The purpose of this letter is to provide opposition to the Referenced application for a three acre oyster/scallop farm in Segar Cove.

My wife and I just recently purchased land on Segar Cove and are beginning the construction of our year round home. We are exited about the location for use of the pond for recreational purposes. We have applied for a mooring and will apply for a dock in the future. Living in Matunuck has been our life long dream. We were surprised when we heard of the application request to expand aquaculture into Segar Cove. We have yet to fully enjoy the benefits of Segar Cove only to find this application request to

consume three acres (likely more) of prime recreational waters. Further aquaculture farming beyond what currently exists in the ponds will exacerbate the already congested recreational waters.

While we enjoy Matunuck Oyster Bar, appreciate the economic boon his restaurant provides and wish him all the success, there needs to be a limit to how many acres of aquaculture farming should be allowed in the ponds.

Please do not approve this application.

Sincerely,

Brett Cicchese
bcicchese@verizon.net

From: Kate Mercurio <kmercurio@gordonschool.org>
Sent: Tuesday, February 6, 2018 10:44 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Segar Cove

Dear Mr. McManus,

I am writing to share my objections to the expansion of Mr. Raso's oyster farm into Segar Cove. My family has been summering in Matunuck for 50 years, now with grandchildren enjoying the pond and the water activities associated with it. We know the pond inside and out after years of waterskiing, swimming and clamming in Segar Cove . We have fallen in love with kayaking and enjoy bird watching, including the osprey family that has its nest right in front of the proposed oyster farm. We feel the expansion will greatly curb water activities and put residents at risk for accidents as the acreage he is seeking is a considerable amount of space. Mr. Raso has 7 acres presently in the area near the gut and I read in recent material it is more like ten acres. So the seven acres he is seeking in Segar Cove will only expand and cut our access even more. Residents in Segar Cove and in the general area pay taxes just like Mr. Raso; why does one business have the right to capitalize on this precious gift over many families who have been enjoying the pond for decades?

Thank you for your consideration.

Sincerely,
Catherine Carey Mercurio

--

Kate Mercurio
Second Grade Teacher
Gordon School

45 Maxfield Avenue
East Providence, RI 02914
401-434-3833

kmercurio@gordonschool.org
<http://www.gordonschool.org/2ndgrade>
<http://kidblog.org/class/mrs-mercurios-class>

Gordon School
Education with impact

From: Gloria Latham <glrlatham@yahoo.com>
Sent: Tuesday, February 6, 2018 4:22 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Segar Cover, Potter Pond File #2017-1-086

Dear Mr. McManus:

I would like to let the SAP know why me and my family object to the building of an oyster farm in Segar Cove, Potter Pond. File #2017-1-086, Proposed Raso Oyster Farm.

Our family has been at 298 Prospect Road for the past 50 years. My husband taught our seven children how to fish, clam, crab, etc. in this pond and now my children are doing the same with their families and friends. We all enjoy this pond for all kinds of recreational purposes.

This pond has always been the perfect and safe spot for everyone to learn all the wonderful sports it has to offer. Fishing for skipjacks and striped bass, clamming, water skiing, tubing, sailing, etc. All my children became excellent fishermen because of their learning experiences in Potter Pond.

All of this would be destroyed with the building of an oyster farm in an area that is used and enjoyed by hundreds of friends and neighbors.

I am sure there must be dozens of other spots these people could find that would not cause such a terrible and sad impact in our area.

Please help us in denying this oyster farm request. Thank you.
Latham

Gloria R.

From: Cawoski, Julie <Julie.Cawoski@wfspa.org>
Sent: Tuesday, February 6, 2018 2:14 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : The Shellfish Advisory Council and the Raso application for Segar Cove.

Dear Mr. McManus,

I am not a resident of RI but I visit my parents each summer for 1 to 2 weeks and they live on Segar Cove. For the past 20 years, my family has enjoyed the cove. We fish, clam(buy our licenses at Benneys), boat, waterski, tube, kayak, canoe and swim in this beautiful pond. My children learned about the salt pond ecosystems and even presented a science project with pictures at their elementary school in Greensburg PA. We used to tether the kids to the dock so they could learn to kayak. They caught crabs, eel, fish and dug clams while learning so much about nature. We challenge each other to swim across the pond each summer. If Mr. Raso builds this oyster farm on Segar Cove, I am concerned we will not be safe while clamming, swimming, water skiing, or kayaking. I also worry that the enjoyment we get from fishing and clamming will be lost as well. We love oysters and have enjoyed wonderful meals at the Matunuck Oyster Bar but Mr. Raso already has 9 acres in the wetlands for his oysters and no one can clam there anymore. Please reconsider allowing Mr. Raso to take more water for his oysters. The pond serves as a safe recreational area for water sports and fishing. Thank you. Julie Cawoski, Vacationer from Greensburg PA,

Julie Cawoski
Associate Director of Community Partnerships

521 Plymouth Street ? Greensburg, PA 15601
PHONE: 724-217-8304 ? FAX: 724 837-8828
EMAIL: CAWOSKI@FSWP.ORG ? WEBSITE: WWW.WFSPA.ORG

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File # 2017-12-086

Deb and Terry McCurdy
264 Prospect Road
Wakefield, RI 02879
401-783-4731
deborahannmccurdy@gmail.com

Dear Sir/Madam,

We (Deborah and Terrence McCurdy) would like to object with Mr. Raso's expansion of 3 additional acres of his Oyster farm in Segar Cove (File # 2017-12-086). The proposed alteration will result in significant conflict of the rights of people who have used this portion of the cove for gathering shellfish, fishing for school bass and releasing, fishing eels. Many of us have ventured to this area (proposed site) to gather dinner as well as commercially harvesting clams, hard and soft shells. Segar Cove has seen many commercial shellfishermen since word got out several years ago about the gold mine of clams here in the cove, especially areas near docks and shallow water, the cove has been harvested to the max. There are still a few commercial shellfishermen in the cove, but due to lack of abundance the numbers have decreased. Many of us will go to areas that are more difficult to harvest because there are plenty of shellfish here. Although it is rocky in spots and deeper water we just move a rock and work the tides and we reap what our cove has provided us for years, dinner and maybe a small paycheck. Although it is said we have the right to continue to use the site, we see that we cannot use all the area that Mr. Raso has commercially developed nearby. This area was also used by many for shellfishing, but now is almost impossible to access this area due to boats, platforms, bags, racks, bouy's and of course the feeling of trespassing.

Our other objection is safety. The proposed site is used by so many who boat in the area. The water activity in Segar Cove is always busy in the warmer months. The channel to get into the cove is only big enough for one boat (rocks on both sides) and if you have a boat entering and one leaving you need this area to move to and wait your turn. A vessel with a water skier or towing a tuber needs to swing into this area if unable to go straight through. If forced to take a quick left there are docks, also it is very difficult to see immediately what who else is coming down that side. What does a boater do when having to take the left after the channel and coming head on with a swimmer off the dock? We ask all parties to please consider the public's use of this area for enjoyment to be continued and not jeopardize our safety and ability to gather a dinner or make a small paycheck.

Thank you for your time and consideration,
Deb and Terry McCurdy

January 15, 2018

Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

Dear Sirs,

We just received an email concerning the application of Mr. Perry Raso for an expansion of his oyster farm in Potter's Pond (currently located on the eastern Succotash Road side) to include three acres in the Segar Cove area.(public notice 2017-12-086).

We have been residents on 94 Ocean Avenue in the Matunuck Point neighborhood for thirty years now. We believe that the pond should be openly available to all residents for recreational use, including boating and clamming, and that a commercial enterprise should not be permitted to intrude into these activities and onto people's views from their backyards on the western side of the pond. Whenever we make even a minor improvement in our homestead, we need approval from the coastal commission, which is dedicated to preserving the shore. Even cutting down weeds requires a permit and legal work, not to mention putting in railings on stairs or an AC unit, or digging up an oil tank. We can't understand how a big application like this can be approved, especially since it was snuck into your agenda in the middle of winter, when most of us are not at our Rhode Island summer homes.

We enjoy eating at Mr. Raso's Matunuck Oyster Bar, but we don't believe our neighborhood should be turned into an aquatic farm to allow his business to expand and thrive.

Thank you,

Stephen Firshein, M.D.
Evelyn Smith Firshein M.D.

Christian F. Capizzo
(401) 861-8247
cfc@psh.com

February 7, 2018

VIA E-MAIL TO:

conor.mcmanus@dem.ri.gov
jeffgrant19@cox.net

Chairman Grant and Members of the
Shellfish Advisory Panel
RI Marine Fisheries Council
3 Fort Wetherill Road
Jamestown, RI 02835
Attn: Mr. Conor McManus, DEM Director

Re: Shellfish Advisory Panel (SAP) review of CRMC File # 2017-12-086 – Proposed
Expansion of Aquaculture

Dear Chairman and Panel Members:

On behalf of my clients, Mr. Hunt, Ms. Cooney, Mr. Quigley and Mr. Latham, please allow this letter to serve as a formal objection to the Rhode Island Marine Fisheries Shellfish Advisory Panel (the “SAP”) hearing and/or providing a recommendation on Mr. Raso’s (the “Applicant”) proposed CRMC aquaculture application (the “Application”) that appears on the Panel’s agenda this afternoon as Item 2(c) 2017-11-086, Raso, Potter Pond.

In addition, we are requesting that the SAP vote to object to a review of the Application and send the application to the full Council of the Rhode Island Marine Fisheries (the “RIMFC”) for a hearing, for the reasons set forth below.

Specifically, we believe the Application submitted to CRMC is materially incomplete as it neglects to address the substantial interference that the proposed farm will have with the existing public trust uses, including but not limited to recreational activities in Segar Cove. In addition, the Application is not consistent with the competing uses engaged in the exploitation of marine fisheries. The location of a commercial multi-acre aquaculture operation in a small cove heavily used for recreational activities significantly increases conflicts with recreational uses and effectively reduces many of those legitimate historical uses including the harvest of marine resources. The town of South Kingstown’s own Harbor Management Plan clearly recognizes the importance of avoiding such use conflicts and recognizes the issues which arise from these competing uses. (See South Kingstown Harbor Management Plan, 2010,

Section 1(B), Section 4(D) (2) Biological Resources, Shellfish, Issues, Goal, Policies and Recommended Action #10.)

Based on the Application submitted to the CRMC and to the SAP, we do not believe there is sufficient information or evidence to allow the SAP to review this matter or provide a positive recommendation to the RIMFC until the Application has been more fully vetted by CRMC and the RIMFC.

My clients', along with many others, want to preserve the existing public trust uses of Segar Cove and have filed their objections to the Application with the CRMC. These objections include but are not limited to the fact that the proposed aquaculture farm will:

1. Result in direct loss of property rights at the site in question;
2. Not meet all of the policies, prerequisites, and standards contained in the applicable sections of CRMC's Management Program; and
3. Have a significant adverse impact on: circulation and/or flushing patterns; sediment deposition and erosion; biological communities, including vegetation, shellfish and finfish resources, and wildlife habitat; areas of historic and archaeological significance; scenic and/or recreation values; water quality; public access to and along the shore; shoreline erosion and flood hazards; or evidence that the proposed activity or alteration does not conform to state or duly adopted municipal development plans, ordinances, or regulations.

In addition, based on a review of Application, there does not appear to be sufficient supporting evidence filed with CRMC to meet the requirements under Section 1.3.1 (a-k) of CRMC's Management Program. The Applicant has failed to demonstrate that the proposed aquaculture farm will not unreasonably interfere with, impair or significantly impact the public access or public use of the Segar Cove and Potters Pond and does not significantly conflict with water dependent uses and activities such as recreational shellfishing, boating, fin fishing, swimming, navigation and commerce of the same.

My clients have submitted letters of objection (attached hereto for the record) and requested a hearing before the CRMC in order to oppose the Application and to present testimony and evidence of significant conflict with the existing uses of public trust resources in contravention of the statute authorizing such Assents. Moreover, it should be noted that in addition to my clients' objections filed with the CRMC, numerous written objections from the general public have also been filed with the CRMC and the South Kingstown Waterfront Advisory Commission (the "Commission"). As you may know, the Commission serves a similar role as the SAP in that it serves in an advisory capacity to the South Kingstown Council on matters concerning the management of recreational and commercial waterfront activities. On February 1, 2018, the Application came before the Commission. The Commission tabled their vote on making a recommendation until they received additional information to make an informed vote.

Chairman Grant and Members of the
February 7, 2018
Page 3

In closing, we are requesting, for the purposes of this afternoon's SAP meeting, that the SAP vote to object to review Agenda Item 2 (c), 2017-11-086, Raso, Potter Pond, pending a full review of the Application before the CRMC and the RIMFC.

Should you or other members of the SAP have any questions or concerns please feel free to contact me at the number and/or via email at cfc@psh.com.

Sincerely,



Christian F. Capizzo

CFC:dad

Enclosures

cc: Ms. Christina Hoefsmit, DEM Legal Counsel - Christina.Hoefsmit@DEM.RI.GOV
Mr. Dave Beutel, CRMC Aquaculture - dbeutel@crmc.ri.gov
Mr. Anthony Desisto, CRMC Legal Counsel - adlawllc@gmail.com
Mr. Michael Ursillo, South Kingstown Solicitor - mikeursillo@utrlaw.com

3248978.1/10373-3

95 Segar Court
Matunuck, RI 02879
C/o 12 Chestnut Street
Boston, MA 02108

January 27, 2018

Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

File Number 2017-12-086, Raso Application, Segar Cove, Potter Pond

Dear Sirs/Madams:

Our names are:

Stephen Quigley

Alicia M Cooney

We reside at: 95 Segar Court, Matunuck, RI 02879

September-May we can be reached at:

12 Chestnut Street, Boston, MA 02108

Email: Alicia@monumentgroup.com Cell phone 617-827-8895

Stephen.quigley@reverejournal.com Cell phone 671-372-6360

Winter Home Phone: 617-918-9857

We are sending by certified mail an objection to the above proposal and a request for a hearing. We strongly believe that the approval of this proposal will negatively impact the traditional recreational, fishing and shellfishing use of that section of Segar Cove and create safety and navigational issues for the many watercraft that frequent this area. We are also concerned with the effect of the proposed oyster farm on the wildlife in the specific area. Our other concern is that the specific view from our house and patio will be impaired, specifically in the view corridor which was determined for us by CMRC.

We are direct abutters of the proposed oyster farm site requested by Perry Raso of the Matunuck Oyster Bar. Our house is visible on the top right of the photo attached as part of the permit, directly to the north of the proposed oyster farm site. Our dock is just out of sight of the photograph, but in a larger photo it would be visible right at the top left of center of this photo perimeter. At the dock, in season, we have a 17' Boston Whaler, a paddle board and three kayaks. In addition, we use the dock for our 15' wooden Maine Dory equipped with sails, depending on the wind.

My husband, our two teenage sons, multiple guests and relatives rely on water sport activities on the pond as a main component of our enjoyment of our home. In fact, having resided summers since 1954 in Matunuck, we expressly purchased this property and built a new home at 95 Segar Court solely for its unique location and existing dock. Prior to the purchase of our current home with dock, we regularly launched our smaller row boats and sail boats at the end of Lake Avenue. Our family, and the extended Cooney family including my father and grandfather, has been regular recreational users of this section of Potter Pond for over 90 years. I have attached just a few photos taken with the last two years of our family and friends either on the exact section of the Pond under discussion or clearly having just been using the Pond. These represent only a few occasions when we have been using the pond, as we do not take photos of ourselves every time we recreate there.

TO SPECIFICALLY ADDRESS THE LEGAL CRITERIA AS DELINEATED FROM THE CRA APPLICATION REVIEW SHEET FOR THE PROPOSEAL, WE NOTE THE FOLLOWING:

The specific conditions with which we take issue with in terms of whether they meet the CRMC legal criteria are as follows:

(5) Demonstrate that the alteration or activity will not result in significant impacts on the abundance and diversity of plant and animal life.

We disagree that this condition will be fulfilled, as there is extensive animal life that calls that area of the pond home, and that will be disrupted by the human activity associated with the harvesting of the oysters. If anything like the workers at Mr. Raso's other farm, the workers are out on the platform for lengthy periods of time, working, talking continuously and playing their music. The swans, osprey, minks and other semi-aquatic mammals do not do well with constant human interference.

(6) Demonstrate that the alteration will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of, tidal waters and/or the shore.

We disagree that this condition will be fulfilled, as the location of the proposed oyster farm acreage does actually impact the access to the passageway to the larger pond for kayaks, paddleboards, and other non-motorized water vehicles. As a 65 year old kayaker, I need to hug the coast, passing directly over the proposed acreage, in order to avoid the motor boats going in circles with their children on skis, boards, and in tubes. Also we ask our paddle boarders to stay in the same area close to shore for the same safety reasons.

(10) Demonstrate that the alteration or activity will not result in significant conflicts with water-dependent uses and activities such as recreational boating, fishing, swimming, navigation, and ...

We disagree that this condition will be fulfilled and strongly disagree with Mr. Raso's impression that he has "seen only an occasional paddle craft in the proposed lease." On summer days, there is constant boating activity, shellfishing and fishing from early morning through sundown, and on weekends, sometimes later. Boating during the evening will be extremely unsafe, particularly if boaters are visitors and are not aware there is a restricted area. Mr. Raso notes that there are few docks in the area. He is correct, but the boating activity is a combination of those of us with docks, those with moorings and docks on the southern end of the pond abutting Washington St, Lake Ave, Park Ave, Atlantic Avenue as well as the Gardiner Island/Prospect area. In addition, while out boating ourselves, we see any number of visiting boaters and shellfishers that arrive from Salt Pond under Succotash Road in order to enjoy our area. One of the most frequent areas for shellfishing is almost exactly at the lower right (Southeast) corner of Mr. Raso's proposed site. The shellfishers seem to come in small motor boats or rafts from other areas of the pond, land their boats at the edge of the pond, and spend multiple hours shellfishing.

(11) Demonstrate that measures have been taken to minimize any adverse scenic impact.

We disagree that this condition will be fulfilled, as our view corridor, which was granted to us by CRMC, looks directly out at the proposed site. Item (11) notes that "the floating gear will be positioned nearest to the coast and out of direct view of any homeowner on the pond." That would be practically impossible given that from our backyard, where our patio and grill are, we can see the entire site. We are happy to send photos to show this visually

Given our major concerns as to whether Mr. Raso's proposal 2017-12-086 meets the legal requirements for CRMC's granting of his application to create and maintain a three acre farm at the noted location in Potter Pond, we request a hearing to consider our objections. We look forward to hearing a response from our protest, at our email addresses, mailing addresses, and/or phone numbers noted above.

Thank you for your consideration,

Sincerely,

Stephen Quigley

Alicia M Cooney

January 23, 2018

Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, Rhode Island 02879-1900

Re: File # 2017-12- 086

To Whom This May Concern;

Our names are:

Kevin Martin Hunt

Christine S Hunt

We reside at:

98 Segar Court, Wakefield, RI 02879

February-April we can be reached at:

720 17th Avenue South, Naples, Florida 34102

Email: kmhunt42@gmail.com

christinehunt53@gmail.com

Phone: 617-416-8409

- We are sending by certified mail an objection to the above referenced proposal and a request for a hearing. I strongly believe that the approval of this proposal will negatively impact the traditional recreational, fishing and shellfishing use of that section of Segar Cove and create safety and navigational issues for the many watercraft that frequent this area. Our home is very remote by land and I fear the an industrial area feet from our property could also create a security issue.

My wife Christine and I have resided at 98 Segar Court since 2002. I first fished and "clammed" on Potter Pond in 1957 with my father. I represent

the third generation of Matunuck residents enjoying the Pond and now take great joy in sharing it with my children. We are fortunate to have a registered dock on the property, a registered 17' Key West motorboat, a kayak, paddle board and rowboat. The proposed commercial use changes and presents conflict to these continued uses.

Our property is a point of land on the eastern section of Segar Cove. Perry Raso's current oyster farm is directly across from our property to the south east. This proposed aquafarm will parallel the western side of our property. Based on the scale of the application map, though difficult to read, the proposed farm will hug over 600 feet of that side our property, as close as 10 feet from our shore and stretch well into the open cove.

CONCERNS AND DISCREPANCIES WITH THE APPLICATION

ITEM 3: "The 3 acre area of Potter Pond is removed from boat traffic, away from the navigational channel."

There are only 2 areas of the Pond that have the open width and depth to safely tube and water ski. Segar Cove is one of those places. There are a constant stream of power boats pulling skiers and tubers. They share the space with vulnerable kayakers, paddle boarders, sailers, canoers, jet skiers, fishermen, clambers, bird watchers and leisure craft who navigate those waters daily. It is already a tight squeeze and many hug the shore to safely avoid the traffic in the channel. It is important to note that because the equipment on the proposed farm will be above water, the large service barges will have to be on the western side of the farm toward the middle of the channel further restricting traffic and expanding the footprint of the farm. The proposed changes will dramatically alter the current Pond use and require small craft, kayaks, paddle boards, canoes etc, into the more active channel of the Cove. These use changes will represent a significant increase to the risk of human safety.

ITEM 6:

As stated above in Item 3, the proposed lease would restrict the traditional recreational use of Segar Cove. As well, the narrow mouth of the Cove already has considerable traffic from the 26 docks and twenty moorings within the Cove. Just around the point in Seaweed Cove there are 39 docks and numerous moorings that host watercraft that utilize Segar Cove. This increased industrial traffic of large service barges required to service the new lease will magnify the navigational hazard.

ITEM 7:

Residents should be provided with a study that shows that a 3 acre fixed farm on a tidal pond will not impede the flow of water and cleansing tides near the important mouth of Segar Cove. We the Hunt family would be particularly concerned with the riparian areas immediately adjacent to our land.

ITEM 10: "I have seen only an occasional paddle craft in the proposed lease..... I have never seen anyone fishing or shell fishing either commercially or recreationally in the proposed area."

As a resident since 2002, that simply is not true. Segar Cove is one of the most active and popular areas of the Pond. Fishing in the southern section of the proposed lease is particularly popular when the bass are running in the spring. At least 2 days a week we see people shellfishing in the proposed site, particularly in the northeast segment. One group uses air hoses to reach the deeper clams.

ITEM 11: Scenic impact and direct view of homeowners

The proposed site is in full view of my home and of that of many of my neighbors. Ironically, CRMC has granted my property 2 view corridors. Those corridors allow us to lower the level of the brush so we can enjoy the

views. Presently one of our corridors looks directly at Perry's oyster farm business. Our second corridor will overlook his new venture.

WILDLIFE

The shoreline and land adjacent to the proposed lease is unspoiled and home to a diverse population of wildlife. It is one of the few places we are aware of where one can view otters, mink, and red fox. As well this pristine peaceful oasis secures both a safe migrating and nesting area to great blue heron, great horned owls, hawks, humming birds, and egrets. At our request the DEM and National Grid erected a platform for Osprey that has been the home to a family of Osprey and five new chicks over the last two years. This nest is on our causeway, just feet from the proposed lease. Numerous boaters and kayaks travel to view the Osprey. We fear this new aquafarm with its industrial activity and noise will disrupt this rare ecosystem and prevent access of boaters to view the Osprey nest. The Council required in our assent to maintain a contiguous green buffer in this zone to enhance and encourage habitat. So we are troubled by the potential of a commercial use conflicting with the previous Council position and restrictions on our property.

ACCESS TO OUR PROPERTY

Access to our west shore is by boat only due to CRMC compliance regulations. We are prohibited from cutting heavy brush outside our view corridor and there is no existing grandfathered path to that area. To check our shoreline, check erosion, remove debris, i.e.: dock remnants, planks, plastic, etc., or simply to view our osprey nest, fish or paddle board, Perry's equipment, raised structures, platforms, ropes and workmen will block our ability to bring our boat to shore.

PEACEFUL ENJOYMENT OF OUR PROPERTY

- We supported and did not oppose Perry's current oyster farm which is 200 yards from our property. We have watched it grow from a small underwater project that he serviced from a small craft with his dog to a 7 acre multi million dollar enterprise with raised visible acres of track, floating rafts and constant traffic manned 7 days a week. The constant music, shouting and colorful language travel over the water and have become part of our lives. The additional proposed three acre farm will be within feet of the other side of our property and will magnify all the issues stated above.

Unfortunately, Perry is not always available to supervise his crew. We have had issues with this in the past when their behavior has made both my wife and daughter uncomfortable. We complained to Perry at that time and to his credit, we have had few issues over the past several years. Upon viewing this proposal, my wife and I were concerned that a daily unsupervised crew so close to our remote home would create safety concerns for ourselves and our family. We believe that that the past behavior and comments could increase and further diminish our peaceful enjoyment and use of our property.

We are saddened to think of the loss of space, safety and enjoyment the implementation of this proposal will create. For all the families who enjoy and respect this special Pond, we request a hearing. After an objective hearing, the impact of the proposed operation will be revealed as adverse and inconsistent with the intentions of RI GL laws and the rules and regulations regarding the aquaculture industry. Thank you for your consideration of this matter.

Sincerely,

Kevin Martin Hunt
Christine S Hunt

January 18, 2018

State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: File # 2017-12-086
Raso application, Segar Cove, Potter Pond

Ladies and Gentlemen:

Per your Public Notice dated January 3, 2017, I write to object to the proposal and request a hearing.

Our family has been at 298 Prospect Road for the better part of a half-century. I strongly object to the applicant's contention that the farm will have very little impact on the recreational uses of Segar Cove. It will have a transformative **NEGATIVE** impact on how our family, and the general public, recreate on Segar Cove and Potter Pond.

The elimination of those three acres of water for public usage and recreation will have a cascading negative effect on other activities and lead to dangerous conditions for all concerned. While looked at in isolation, it would seem that the proposal would have limited impact, but, viewed **in the proper context** (busy summer season, hot day, pond full of boats, etc.) it would significantly alter the dynamic of how Segar Cove can actually be safely used.

Of primary concern are motorized watersports – skiing, wakeboarding, tubing, etc. In all of those cases, boats use that area of the cove to **TURN AROUND**. If they can't turn around there, they'll be forced out into the middle of the pond, the precise location where other boats will be attempting to do the same. This will lead to dangerous congestion and perilous conditions for anybody being dragged behind a boat on skis or a tube. This is especially true during the busy summer months. From the deck at 298 Prospect, it's not unusual to see 4 or 5 boats tubing and skiing at the same time in Segar Cove. Even without the proposed farm, this can be tricky, and requires constant vigilance and caution on the part of the boat's captain. Anytime we take the kids or visiting friends tubing or skiing, we pay special attention to instructing them on what to do if they fall – raise arms, splash hands, etc. – all to make certain they remain visible to the numerous other watercraft on the cove. The removal of that acreage from the useable water will only increase the likelihood of somebody being accidentally run over by another boat or jet ski, the growing popularity of which and extreme rates of speed only add further risk.

Many of the issues raised above will also be applicable to non-motorized watersports, like paddle boarding, kayaking, swimming, etc., as the same danger of congestion and potential accidents will apply. My nieces and nephews like to swim around the pond, on a boogie boards and rafts, frequently exploring the shore and area in and around the proposed site. If the farm is placed there, they, too, will be forced to move further to center of the pond, putting them at increased risk. This is also true for kayakers and all other recreational users.

One more note...The applicant's statement that he has "...seen only occasional paddle craft " and has "...never seen anyone fishing or shell fishing" in the proposed site is, on its face, demonstrably FALSE, revealing on his part a willingness to bend the truth to suit his business goals. One wonders what other parts of his application suffer from similar myopia....

In sum, the proposed oyster/scallop farm will have a significant deleterious effect on the recreational use of Segar Cove and will create significant and potentially dangerous conflicts with existing boating, swimming, etc. I urge the CRMC to deny the application.

With kind regards and thanks for your consideration,

Sincerely,

David Latham

David Latham
1915 8th Avenue
Brooklyn, NY 11215

and

2464 F Commodore Perry Highway
Matunuck, RI 02879

917-647-1792
davidclatham@gmail.com

January 23, 2018

Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, Rhode Island 02879-1900

Re: File # 2017-12- 086

To Whom This May Concern;

Our names are:

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Christine S Hunt

We reside at:

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February-April we can be reached at:

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Sincerely,

Kevin Martin Hunt
Christine S Hunt

