



Oliver Stedman Government Center
4808 Tower Hill Road; Suite 116
Wakefield, RI 02879
401-783-3370

PUBLIC NOTICE

File Number: 2014-04-067

Date: April 28, 2014

This office has under consideration the application of:

David Bartley
53 Avicé Street
Narragansett, RI 02882

for a State of Rhode Island Assent to construct and maintain: a 2.95 acre Eastern oyster *Crassostrea virginica* farm northeast of Ram Island in Point Judith Pond using three methods (cage, rack & bag, and bottom).

Project Location:	Point Judith Pond
City/Town:	Narragansett
Plat/Lot:	
Waterway:	Point Judith Pond

Plans of the proposed work may be seen at the CRMC office in Wakefield.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (**with your correct mailing address, e-mail address and valid contact number**) and be received at this office on or before May 28, 2014.

18 April 2014

David Bartley
Aquaculture Lease Application

This application is to request a 2.95-acre aquaculture lease site. The proposed site is located off the northeast coast of Ram Island within Point Judith Pond, Narragansett, Rhode Island.

OPERATIONAL PLAN

1. Name and Mailing Address

David R. Bartley, Jr.
53 Avice Street
Narragansett, RI, 02882

2. CRMC File Number

TBA

3. DEM Aquaculture License Number

TBA

4. Type of facility

This application is for a commercial aquaculture lease site for cultivating oysters. Please see sections 6 and 7 of Operational Plan below for further information.

5. Location of Facility

The proposed lease site is 2.95 acres located off the northeast coast of Ram Island within Point Judith Pond, Narragansett (please see figures included in this application). The bounding coordinates are:

- A. 41.40524 N; 71.49610 W
- B. 41.40524 N; 71.49512 W
- C. 41.40394 N; 71.49512 W
- D. 41.40394 N; 71.49588 W
- E. 41.40419 N; 71.49614 W
- F. 41.40457 N; 71.49615 W

The bounding coordinates of the proposed lease site will be marked with buoys as requested by CRMC and will state "CRMC" along with the application file number.

Water depth within the proposed site averages four feet at mean low water.

There is no eelgrass present within the proposed site or nearby, as shown in the 2012 submerged aquatic vegetation maps (downloadable on RIGIS).

6. Identification of Species

The proposed lease will be used to grow eastern oysters (*Crassostrea virginica*).



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The first year, my efforts will be dedicated to cultivating oysters within two acres of the lease site. Once these oysters are being grown successfully, I will expand my operation to utilize the remaining leased acre. This plan to stagger the size classes will ensure I have consistent product available for market; as some oysters are still growing to market size, others will be ready for harvest.

Seed will be purchased from approved source(s) with proper paperwork and pathology certifications. The seed will be transported to the proposed lease site, where it will be placed into mesh bags. The first year, I anticipate purchasing 100,000 seed to start. I will purchase additional seed as necessary. My operation will comply with current standards set forth by the state of Rhode Island's for public health safety, and with protocols set forth by the Biosecurity Board.

7. Gear Type and Methods

I plan to grow oysters using three standard aquaculture techniques - "cage and bag," "rack and bag," and "bottom culture." I intend to try out these methods to determine which works best at the proposed lease location. All equipment is bottom gear and will be placed on the seafloor, with the exception of the buoys marking the lease site.

The cage and bag method utilizes tiered wire cages secured to the seafloor. I plan to purchase this gear locally at Industrial Marine Marketing in Wakefield. The cages will have six slots (two columns by three rows) or eight slots (two columns by four rows), within which mesh bags are inserted. The cage structure is 36"x45"x18" for six slot cages and 36"x45"x22.5" for eight slot cages. Rack and bag system is similar, but instead of being a tiered system, racks are secured to the seafloor and bags are adhered to the rack. The mesh size of the bags will vary with the size of the oysters. As the oysters grow larger, they will be transferred to bags with larger sized mesh. To minimize fouling, I will place the oysters in brine solution and/or scrub the oysters when needed. I will also remove fouling from the mesh bags by allowing them to air dry and by scrubbing them with a wire brush when necessary.

The third technique I plan to use is bottom culture. This involves directly distributing, or planting, seed on the seafloor. Nets may be placed over the planted shellfish to protect against predators. There is very little maintenance or gear associated with this method, making it more cost-effective and the least interference with other users. The oysters will be harvested manually with a bullrake or by hand once they reach market size.

I anticipate all oysters will reach harvestable size within 24 months. Upon harvest, the shellfish will be placed on ice immediately and transported to the intended recipient without delay in order to minimize health risks.



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8. Marking the Site

The corners of the site will be marked with buoys as requested by CRMC and will state "CRMC" along with the file number.

9. DEM Shellfish Harvesting Classification

The proposed site is located in approved waters according to the DEM Water Classification. The site is located in DEM Growing Area 10 and CRMC Type 2 waters.

10. Practices and procedures for handling shellfish

I will employ prudent practices when handling all shellfish. I will ensure the organisms are exposed and out of the water for sufficient durations when they are being sorted into new size mesh bags. I will place shellfish on ice upon harvesting and will transport them to their destination following requirements set forth by the Vibrio Control Plan now being developed by the State and to be implemented by summer 2014. Shellfish will be sold only through appropriate avenues (i.e. a dealer, Ocean State Shellfish Cooperative).

11. Maintaining Records: Seed acquired from out-of-state

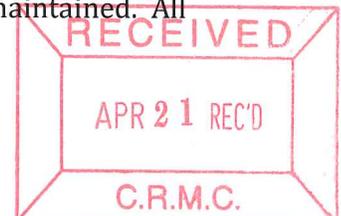
Seed will be purchased from approved source(s) with proper paperwork and pathology certifications. My operation will comply with current standards set forth by the state of Rhode Island's for public health safety, and with protocols set forth by the Biosecurity Board.

The seed will be transported to the proposed lease site, where it will be placed into mesh bags. Records will be kept for each day the lease is worked. Information will include tasks that were completed, cages and bags that were sorted and moved, and condition and size of oysters. These notes will be taken by hand on site and later transcribed into an excel file. The original notes will be kept, as well, for reference.

The cages will be set up in a basic grid structure. Each cage will be tagged with a number for identification. The bags within each cage will be assigned a letter. For example, bags in the first cage will be identified as "1A," "1B," "1C" and so on. If seed is purchased from multiple sources, this will be indicated in the recorded notes, and oysters from different sources will not be mixed throughout the growing and harvesting process. When the seed enters the site, it will be transferred to one line or group of cages. The hatchery name will be added to the tag indicating the cage number for reference.

12. Maintaining Records: Upwellers/seed growing facilities in prohibited waters

Any seed obtained from upwellers/facilities in prohibited waters will be held at non-prohibited waters for a minimum of twelve months, as currently required by the State of Rhode Island. Careful record keeping, as described in section 11 of Operational Plan above, will ensure the seed is properly tracked and maintained. All



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seed will be purchased from approved source(s) with proper paperwork and pathology certifications. My operation will comply with current requirements set forth by Rhode Island for public health safety and with protocols set forth by the Biosecurity Board.

13. Maintaining Records: Using seed from prohibited waters

Please see section 12 of Operational Plan above.

ADDITIONAL INFORMATION

Intended Recipients

I plan to sell the shellfish to local dealers and/or the Ocean State Shellfish Cooperative. I have spoken to the Cooperative, which was supportive of my efforts. I have not yet spoken to any dealers. I am confident in being able to sell my product, given the public demand for fresh, local, and sustainable seafood.

Site Access

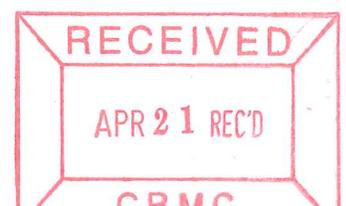
I own three boats that could be used to work the lease site, depending on the day's activity. One boat is a 12' skiff, and the other two are center consoles (16' and 21'). I plan to obtain a slip for the larger vessel once the lease is in place. In the mean time, I will trailer and launch the vessels at the nearby public boat ramp (1.4 miles from my residence), which I have ample experience doing.

Public Use

I believe this proposed lease site will be of limited interference to public use. The shallowness of the proposed site prevents it from being an area of high recreational use, and the presence of a now submerged road between Ram Island and Harbour Island is a navigational hazard for most size boats. Activities such as kayaking, swimming and birding will continue to be able to take place in the area. The CRMC site survey indicated a low density of quahogs (0.5 quahogs per square meter), making this area an unlikely place for clamming activity. Furthermore, public access to the shoreline along this portion of Point Judith Pond is very limited due to lack of public roads and public parking. The land directly to the east of the proposed lease area is Kenyon Farm, a privately owned area with no public access; and Great Island, Harbour Island and Briggs Farm all have restricted access to non-members of these respective associations.

There are some homes from which my proposed lease site may be seen from a distance. I do not believe this is cause for concern, given submerged culture gear is being used, with the exception of the required marker buoys.

I would be happy to engage and provide tours to people who approach my lease or would like to know more about my activities.



SECTION 300.1 B REQUIREMENTS

1. *Demonstrate the need for the proposed activity:* There is increasing demand for locally and sustainable grown food, including for shellfish. My proposed operation will help fill that demand, while at the same time help the Rhode Island economy and provide employment for people. In addition, the environmental benefits of this proposed activity is improved local water quality in Point Judith Pond, as oysters are capable of filtering as much as 50 gallons of water per day.
2. *Demonstrate all applicable local zoning ordinances, building codes, flood hazard standards, and all safety codes, fire codes, and environmental requirements have or will be met:* The proposed activities will not be conducted on land or in non-tidal waters.
3. *Describe the boundaries of the coastal waters and land area that are anticipated to be affected:* All proposed activities would occur in waters averaging four feet in depth. No activities will be conducted on land or along the boundaries of coastal waters, and therefore, these areas will not be affected.
4. *Demonstrate that the activity will not result in significant impacts on erosion and/or deposition processes along the shore and in tidal waters:* No significant impacts on erosion and/or depositional processes would result. The proposed activities would not be conducted along the shore. The average depth of the proposed site is four feet. The proposed mechanisms for shellfish cultivation are common to the industry and allow water to flow freely (please see section 7 of Operational Plan above for details).
5. *Demonstrate that the activity will not result in significant impacts on the abundance and diversity of plant and animal life:* The proposed activity will result in no adverse impacts on the abundance and diversity of plant or animal life. Oysters are capable of filtering as much as 50 gallons of water per day, and, therefore, will help improve local water quality. In addition, the gear used to grow oysters can act as a refuge and provide habitat for some species. No eelgrass exists within or near the proposed site, as shown in the 2012 submerged aquatic vegetation maps (downloadable on RIGIS).
6. *Demonstrate that the activity will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of tidal waters and/or the shore:* The shallowness (average of four feet) of the proposed site prevents it from being an area of high recreational use, and the presence of a now submerged road between Ram Island and Harbour Island is a navigational hazard for most size boats. Activities such as kayaking, swimming and birding will continue to be able to take place in the area. To my knowledge, the area is



poor for clam activity, as supported by the CRMC site survey, which indicated a low density of 0.5 quahogs per square meter. Furthermore, public access to the shoreline along this portion of Point Judith Pond is very limited due to lack of public roads and public parking.

7. *Demonstrate the alteration will not result in significant impacts to water circulation, flushing, turbidity, and sedimentation:* The proposed activities would use techniques commonly employed in the industry. For bottom-culture, water column impacts will not be an issue at all. With the cage and rack and bag system, water will still be able to circulate and flush freely through and over the cages and racks, and will not create sedimentation or turbidity issues. Shellfish are filter feeders and so will help improve the local water quality, rather than reduce it.
8. *Demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity:* Shellfish are filter feeders. As such, they take particles out of the water column and, thus, improve water quality. For this reason they used to help restore water quality in some areas. Oysters are the most efficient filterers; a single oyster is able to filter as much as 50 gallons per day. As a result of their presence in the pond, local water quality will be improved. With regard to work on the proposed site, a boat will only be used to travel to and from the site. While working, the boat will be turned off, saving fuel costs and lowering fuel emissions. Oil and other chemicals will not be used at the work site.
9. *Demonstrate that the activity will not result in significant impacts to areas of historic and archaeological significance:* There are no known archaeological or historic sites in the area of the proposed lease.
10. *Demonstrate the activity will not result in significant conflicts with water-dependent uses and activities:* The proposed activity should not interfere with existing uses and activities. The shallow nature of the proposed site (four feet on average) prevents it from being an area high recreational value. Boating can be hazardous. Other activities, such as kayaking, swimming, and birding can take place in the area without interference. The CRMC site survey indicated a low density of quahogs (0.5 quahogs per square meter), making this area an unlikely place for clamming activity.

Public access to the shoreline along this portion of the pond is very limited due to lack of public roads and public parking. Specifically, the land directly to the east of the proposed lease area is Kenyon Farm, a privately owned area with no public access; and Great Island, Harbour Island and Briggs Farm all have restricted access to non-members of these respective associations.



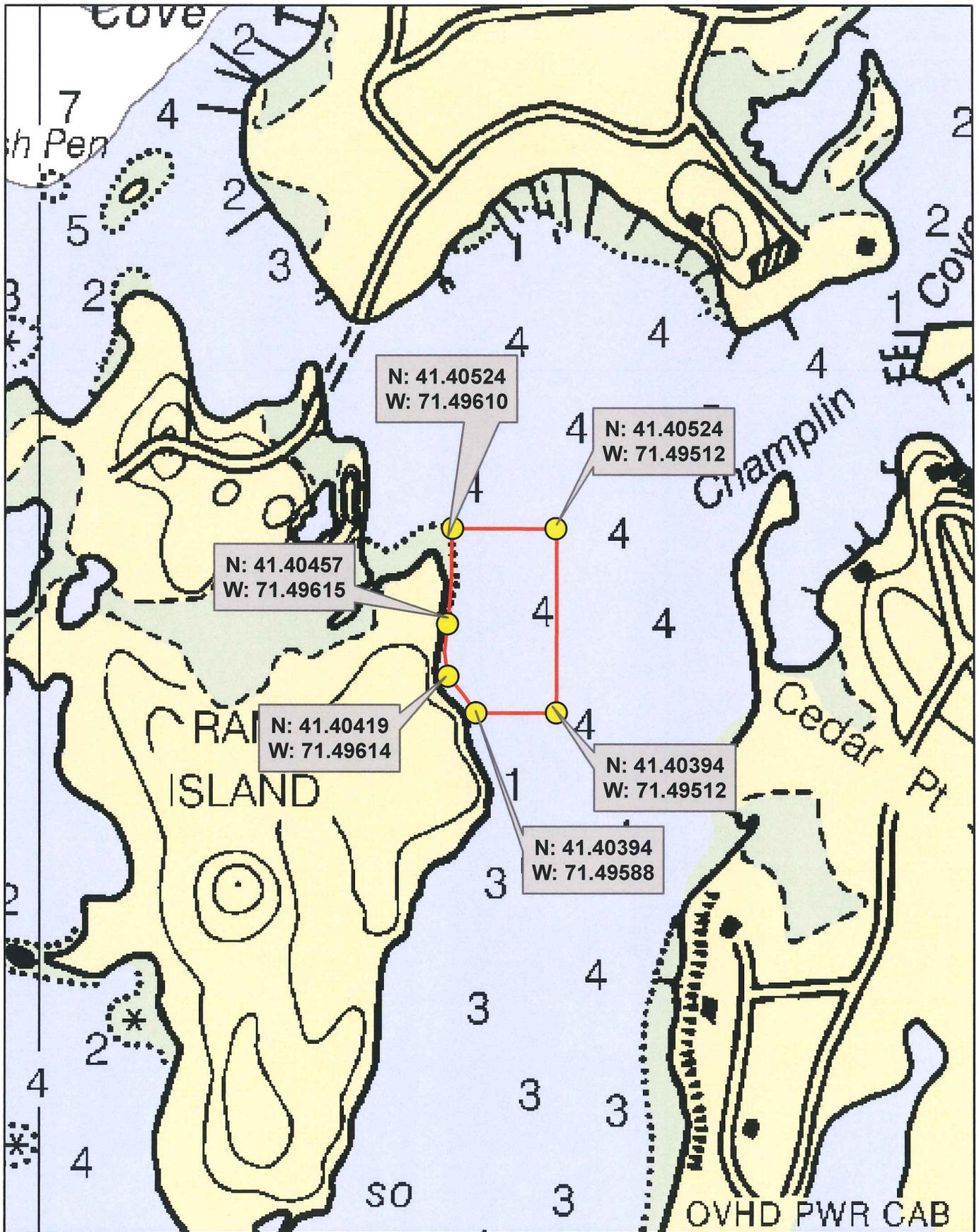
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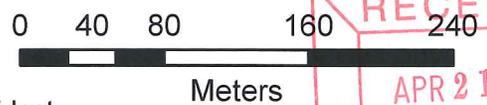
The proposed site is not near the navigation channel and would not pose a threat to navigation. Given the shallow depth, boating through this area can be hazardous. Though, those that do wish to pass through the area will have ample space to do so.

11. *Demonstrate that measures have been taken to minimize any adverse scenic impact:* The proposed site was chosen, in part, due to its relatively secluded location in efforts to minimize visual impacts. There are not many homes from which my proposed operation may be seen. I do not believe this is cause for concern, given submerged culture gear is being used, with the exception of the required marker buoys.



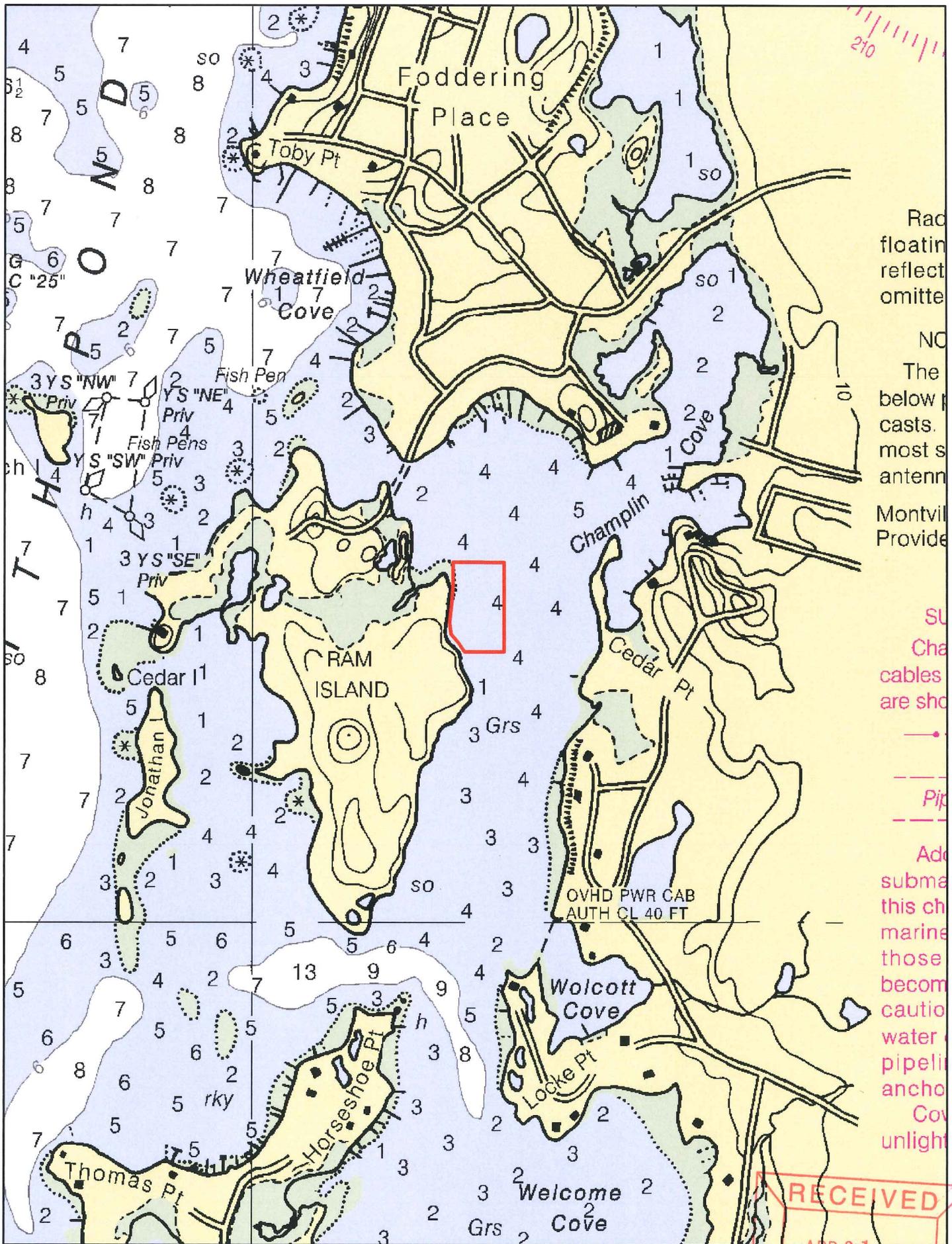


Proposed lease location overlaid on NOAA Chart 13219.
 The six bounding coordinates are also displayed.
 The site is 2.95 acres and is 145 m in length and 88 m at its widest.



Meters



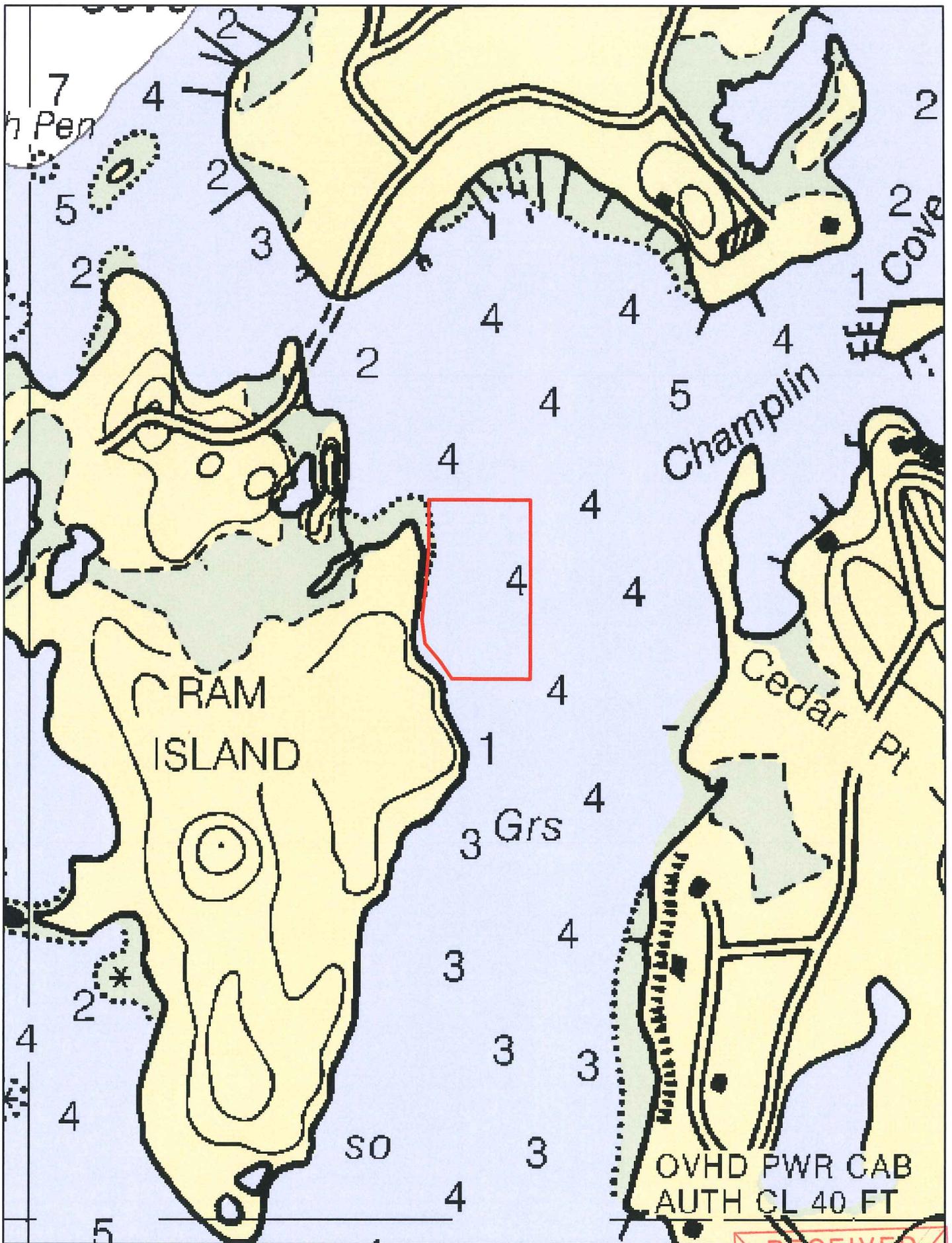


Proposed lease location overlaid on NOAA Chart 13219.
 The site is 2.95 acres and is
 145 m in length and 88 m at its widest.



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Proposed lease location overlaid on NOAA Chart 13219.

The site is 2.95 acres and is
145 m in length and 88 m at its widest.

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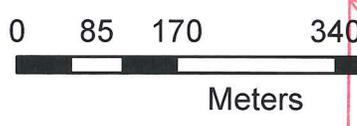
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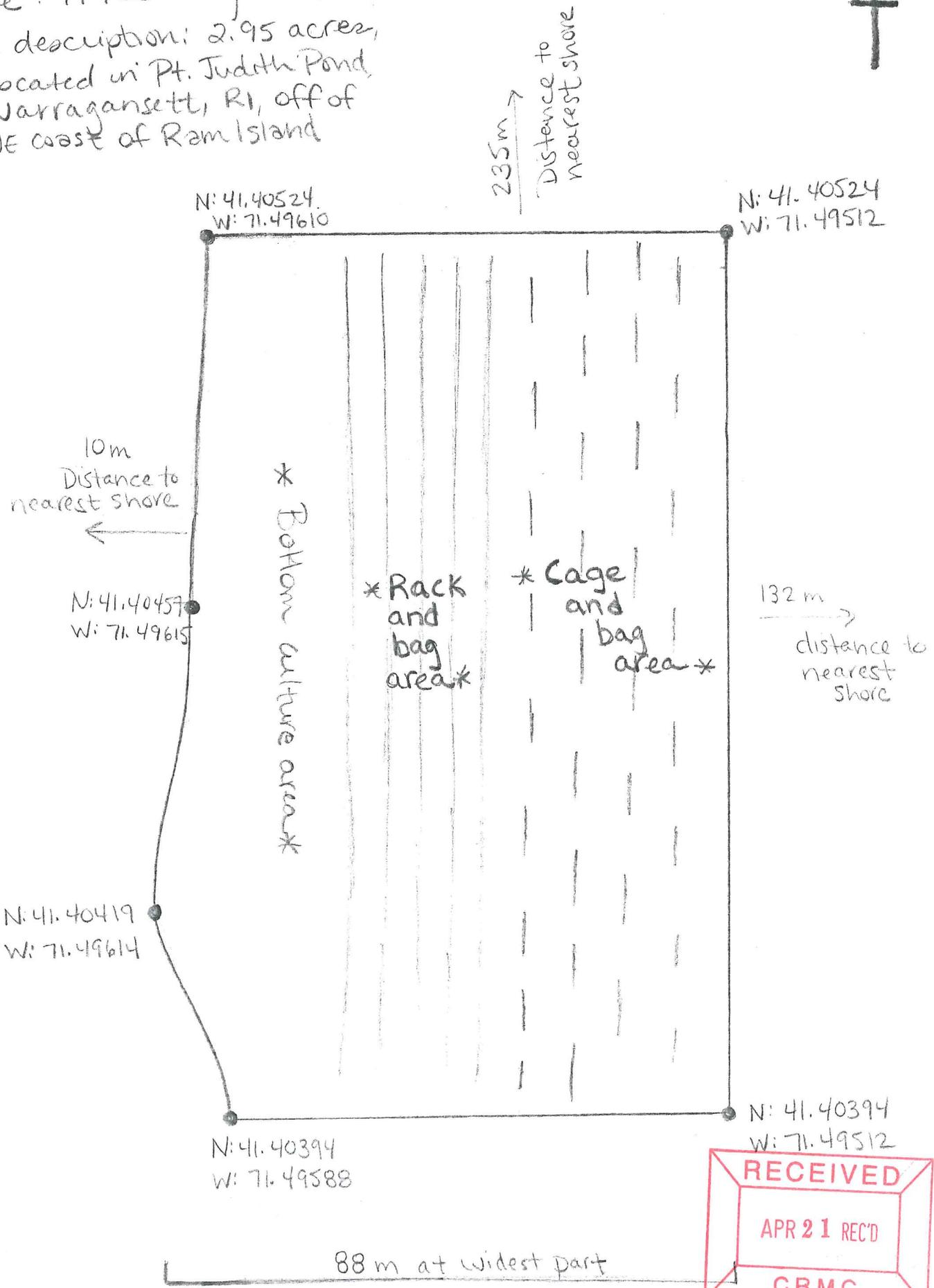
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Proposed lease location overlaid on a 2011 orthophotograph of 6 inch pixel resolution (downloadable from RIGIS). NOAA Chart 13219 is in the background. The site is 2.95 acres and is 145 m in length and 88 m at its widest.



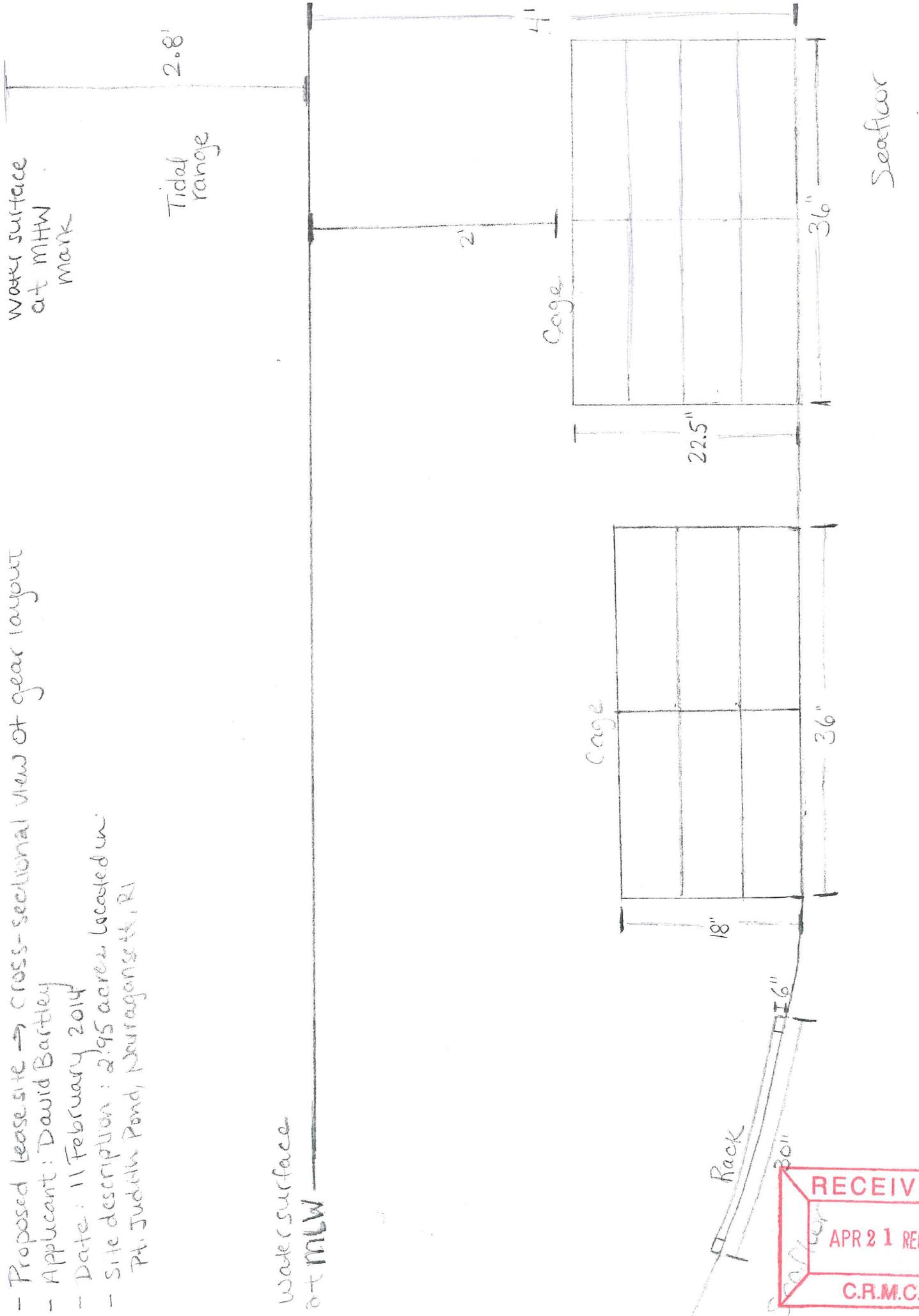
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- Proposed Lease Site → Plan View
- Applicant: David Bartley
- Date: 11 February 2014
- Site description: 2.95 acres, located in Pt. Judith Pond, Narragansett, RI, off of NE coast of Ram Island



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 APR 21 REC'D
 C.R.M.C.

- Proposed lease site → Cross-sectional view of gear layout
- Applicant: David Bartley
- Date: 11 February 2014
- Site description: 2.95 acres located in Pt. Judith Pond, Narragansett, RI



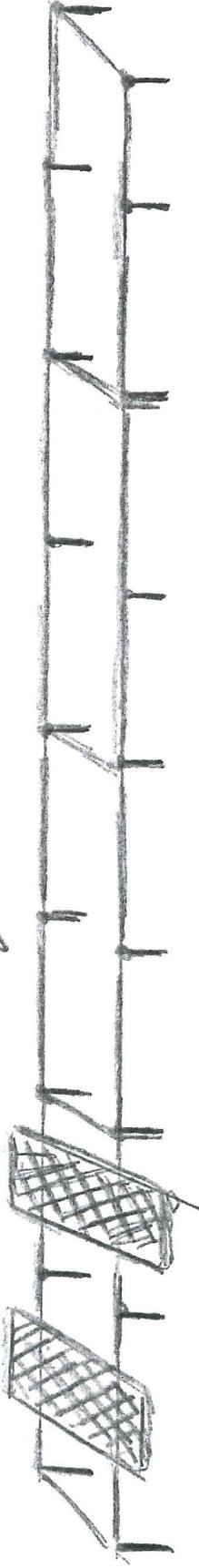
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* Note: Bottom culture not shown here. Only gear may be protective nets on seafloor.

Proposed gear: Rack + bag system

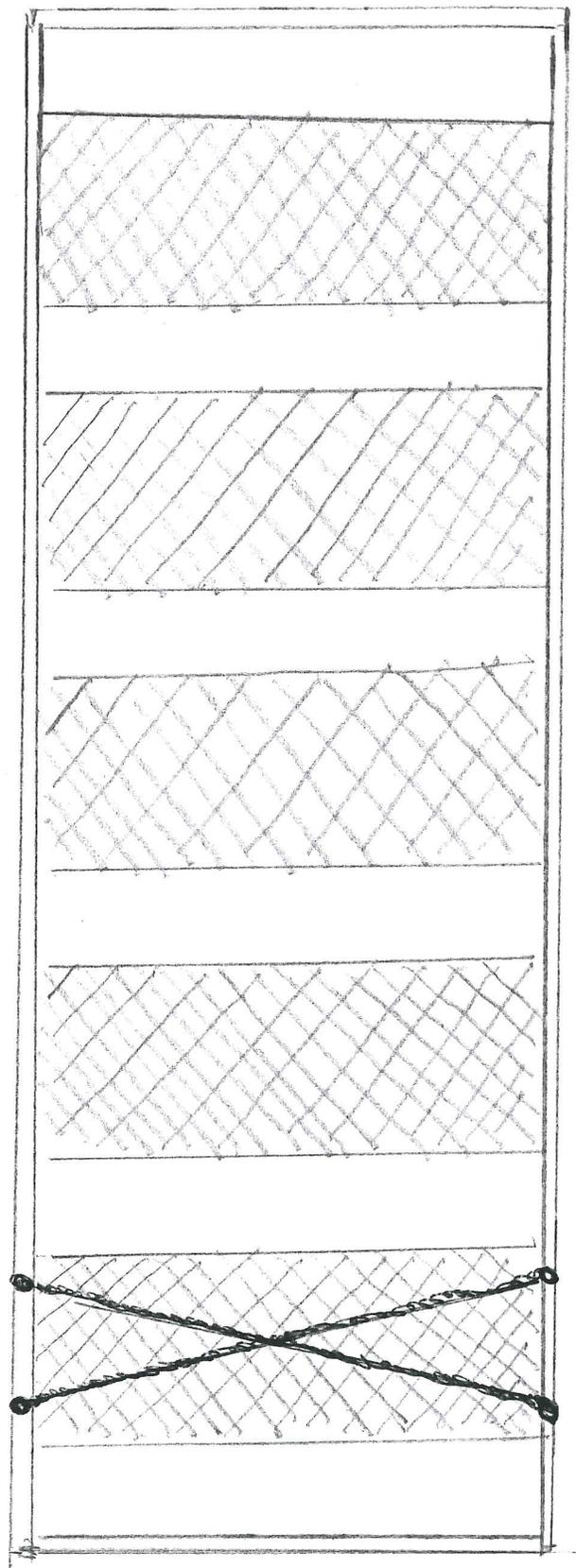
Racks - Made out of re-bar, PVC, or suitable mat'l.

Legs - supporting and anchoring rack close to sea floor



Rack system will support standard size grow bags

Grow bags attached to rack system by bungee or similar straps



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 C.R.M.C.

Applicant: David Bartley

2-11-14



Example of a six slot cage (2 columns x 3 rows) fabricated using 4 ½ inch 8 gauge wire. The dimension of this cage is 36" x45" x18" . We also propose to use eight slot cages (36" x45" x22.5").
Photo credit: <http://www.lobstering.com/aquaculture%20products.html>

