



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

PUBLIC NOTICE

File Number: 2012-06-020

Date: June 21, 2012

This office has under consideration the application of:

Christopher Warfel
Sun Farm Oysters
PO Box 871
New Shoreham, RI 02807

for a State of Rhode Island Assent to create and maintain: a 0.25 acre aquaculture lease for growing oysters using bags on a submerged bottom longline or wire mesh cages (4.5 inches tall) on a submerged longline. Please see attached map for location.

Project Location:	Great Salt Pond
City/Town:	New Shoreham
Waterway:	Great Salt 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 July 20, 2012.

Sun Farm Oysters
PO Box 871
Block Island, RI 02807
401-466-8978

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CONCISE DESCRIPTION OF PROJECT PLAN

The area requested is in the Town of New Shoreham Shellfish Management Plan Area 3

We plan to use bottom culture to grow oysters to market size and then harvest for sale. Upon successful use of this lease as determined by our ability to place and harvest oysters consistent with, and without material conflict with the multiple uses of the area, we will relinquish CRMC #2004-02-064.

Operation Plan

All equipment except for the lease markers will be on the bottom allowing recreational craft, access to, and through this area.

The operational plan for growing and harvesting market oysters is to place oysters for sale between Memorial Day and Columbus Day in this area from our winter grow-out areas. Oysters will be harvested and sold to restaurants, general public and wholesale entities as the market provides.

Oysters will be placed in black HDPE bags of the mesh size consistent with the oyster size. Bags will be attached to sinking line. We make opt to place the bags in shallow height 4 5" mesh cages. The cages will then be hauled for harvest instead of individual bags. This will allow us to spend less time on the lease hauling multiple bags. The end of each line of oyster containment is to be tied to sinking line which will run along the perimeter of the lease. At each corner of the lease will be a pyramid anchor. A buoy will be used to mark each corner of the lease.

a. Source of Shellfish Seed

All shellfish seed has been and will continue to be purchased from the Aquaculture Research Corporation, Dennis, MA, unless other sources prove superior.

b. Operational Specifications

A skiff will be used to gain access to the lease. The skiff shall use a four-cycle or very low emission two-cycle engine. The boat shall be moored in the Town of New Shoreham mooring field in New Harbor or between the high and low tide riparian marks. The skiff shall be motored to the site for work.

c. Maintenance of Shellfish and Equipment Gear

Maintenance will include the inspection of lines and marker buoys and investigation of bag fouling. Maintenance will coincide with harvest. Highly fouled bags or cages will be changed out per the NRCS gear recycling program we have participated in.

d. Operational Time Table

Site work will begin with the granting of the lease. Oysters may be relocated from our current open water lease(s) if granted before Columbus Day so we can begin conducting a comparison of the various open water grow out sites.

e. Harvesting Methods

Oysters will be harvested by pulling up the lines that have the oyster bags attached. We will collect the mature shellfish. All shellfish will be cleaned and packed on-site aboard the skiff.

PHOTOS OF PROJECT SITE AND ADJACENT AREA

Looking East



Looking north, northeast from lease



SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI

Looking east, southeast from lease

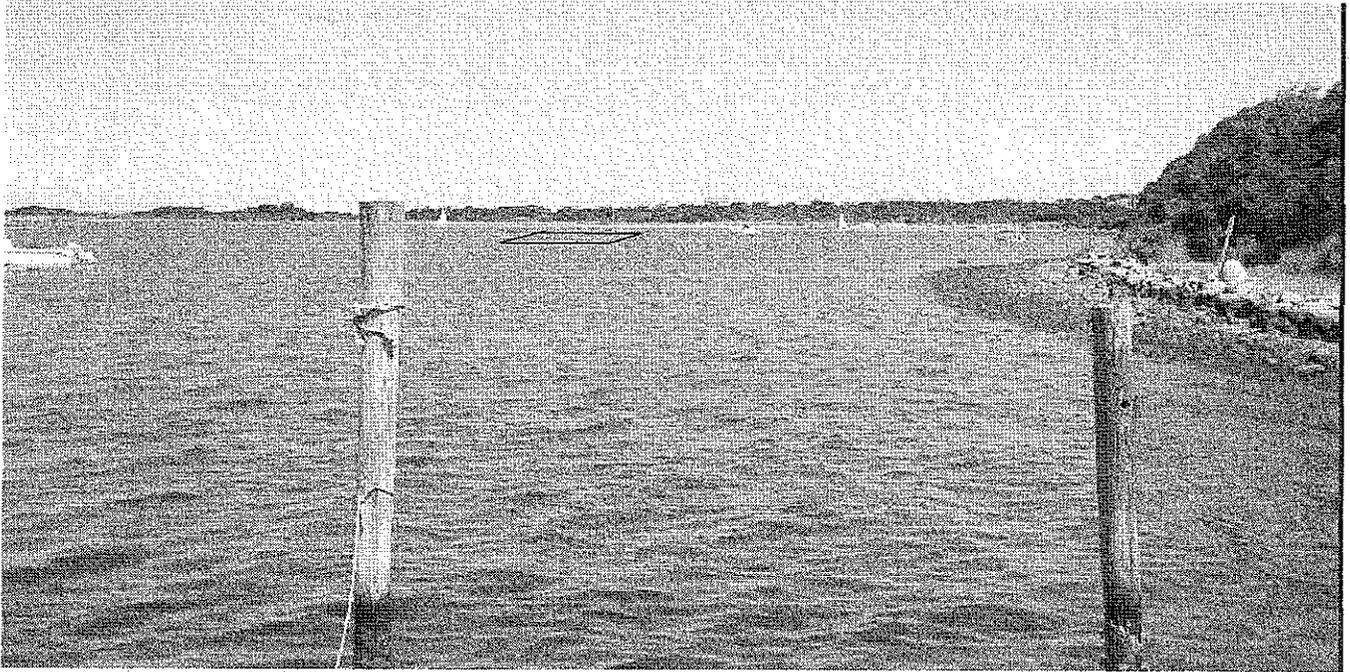


Looking west, northwest from lease



SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI

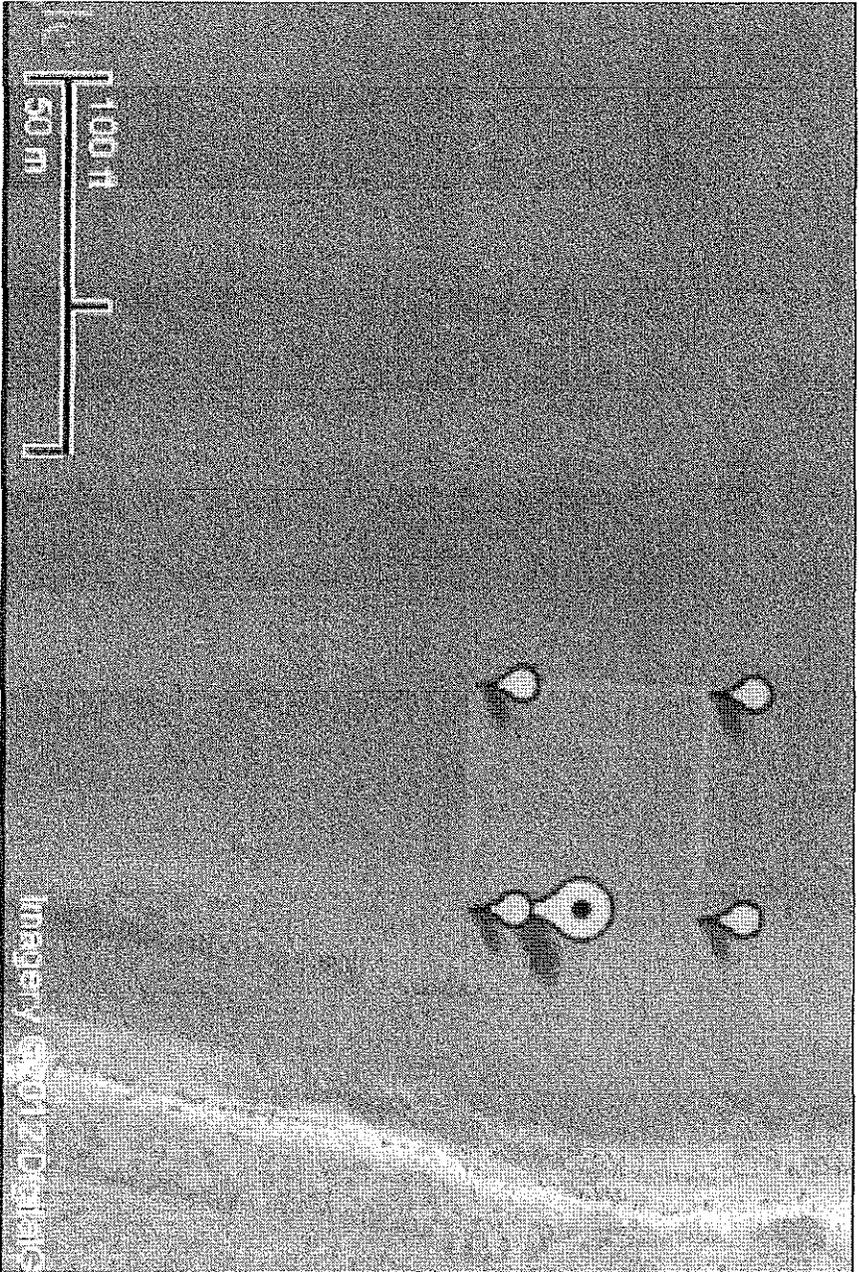
Looking north towards lease



SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI

MAPS

Google Earth Map, 100 feet scale



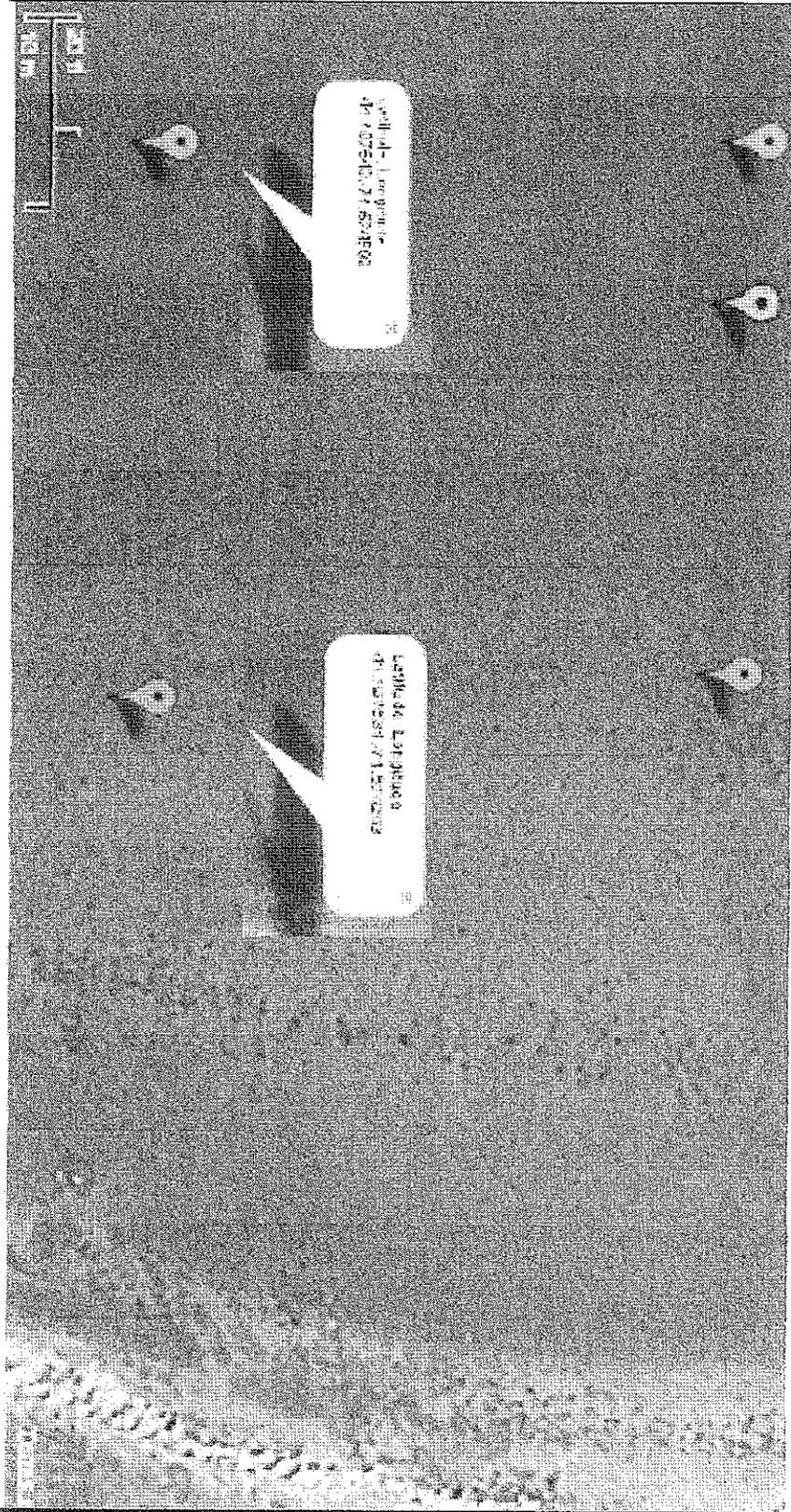
SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI
Google Earth Map, 20 feet scale

Latitude Longitude
N 41°07'20.71" 71°57'49.94"

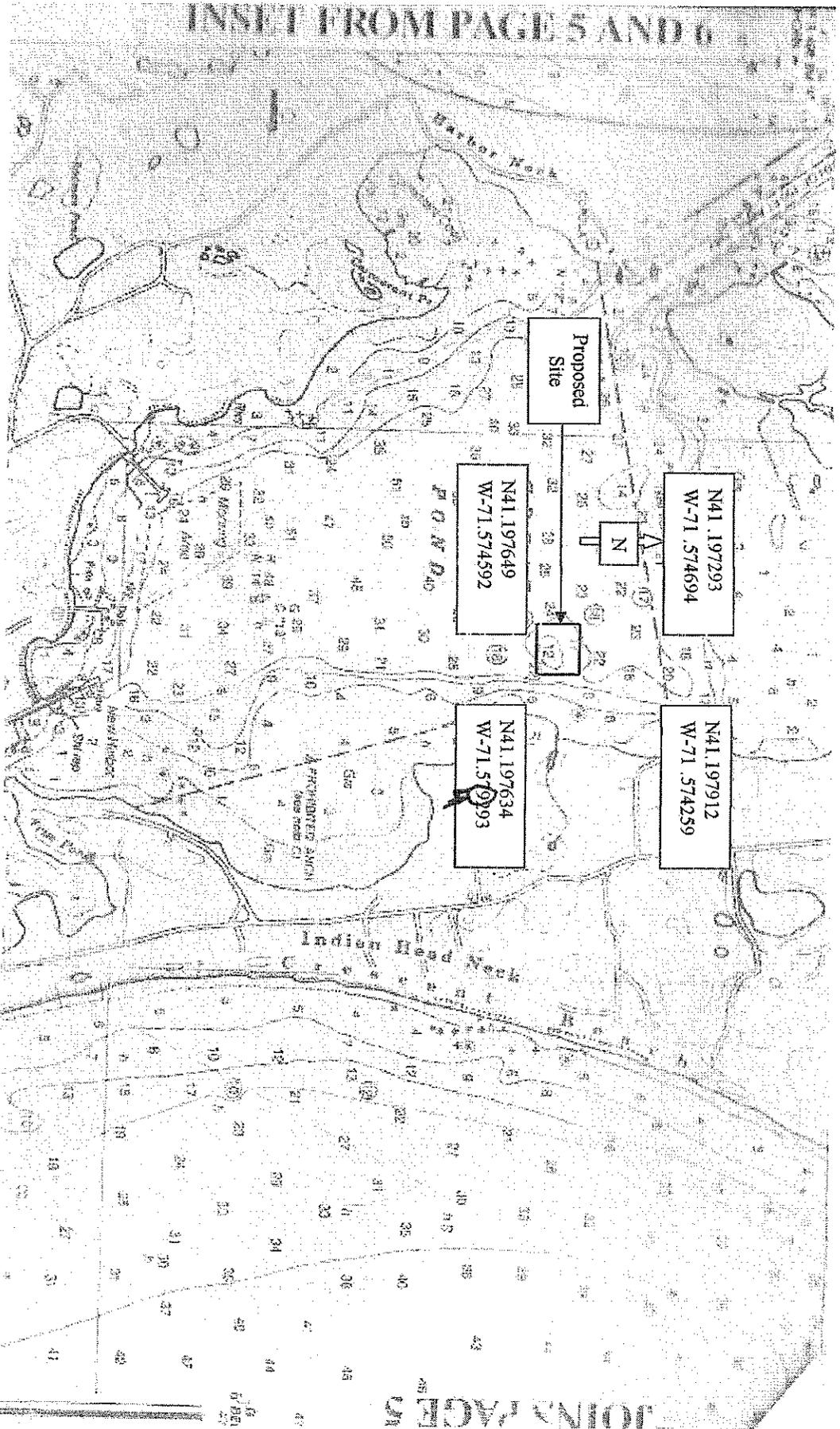
LATITUDE LONGITUDE
N 41 10 21.1271 71 57 49.9450

Latitude Longitude
N 41°07'51.02" 71°58'49.02"

Latitude Longitude
N 41 07 51.0202 71 58 49.0202



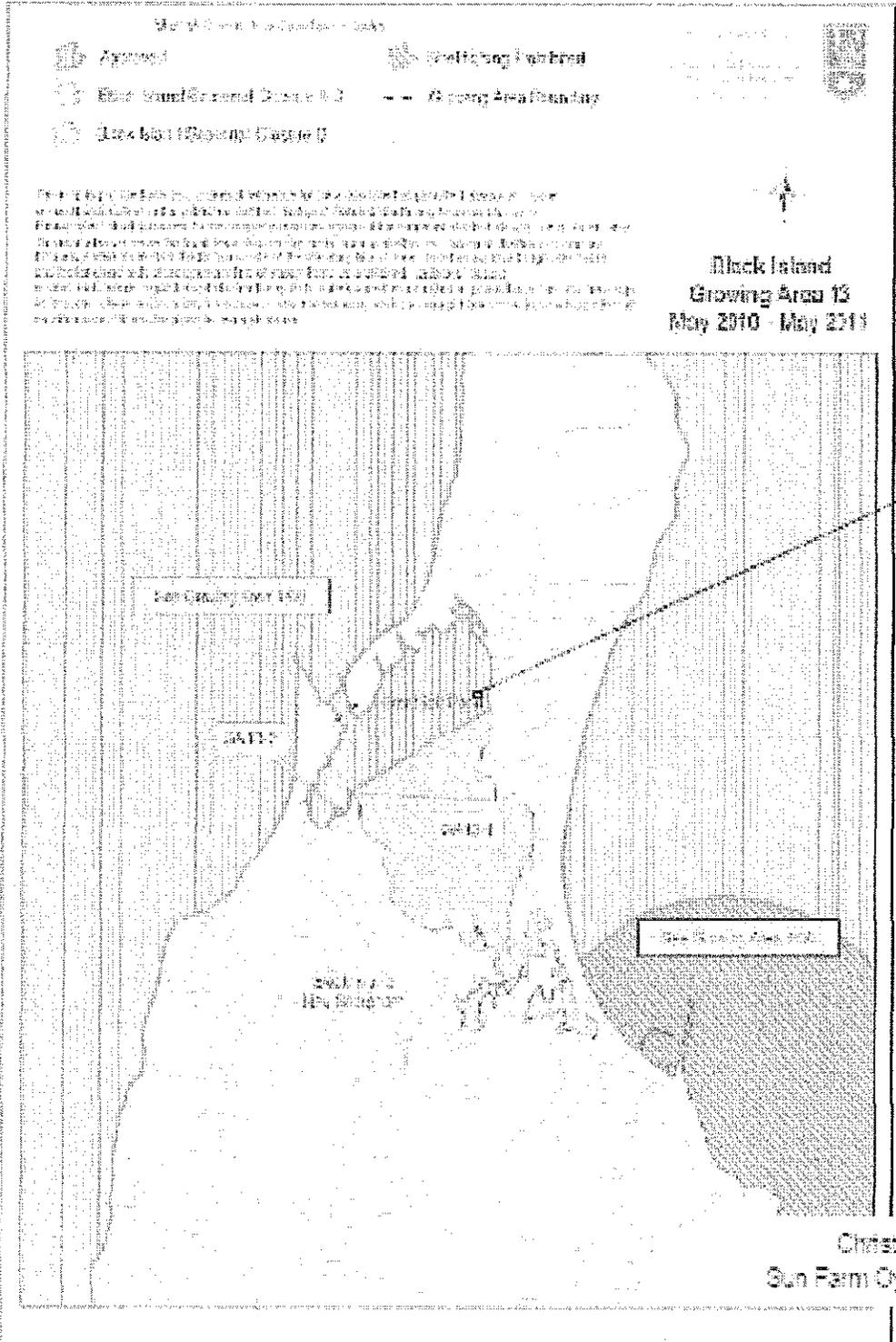
SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI
NOAA Map



Christopher Warfel, Sun Farm Oysters LLC, 5/4/2012

SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI

Shellfish Closure Map



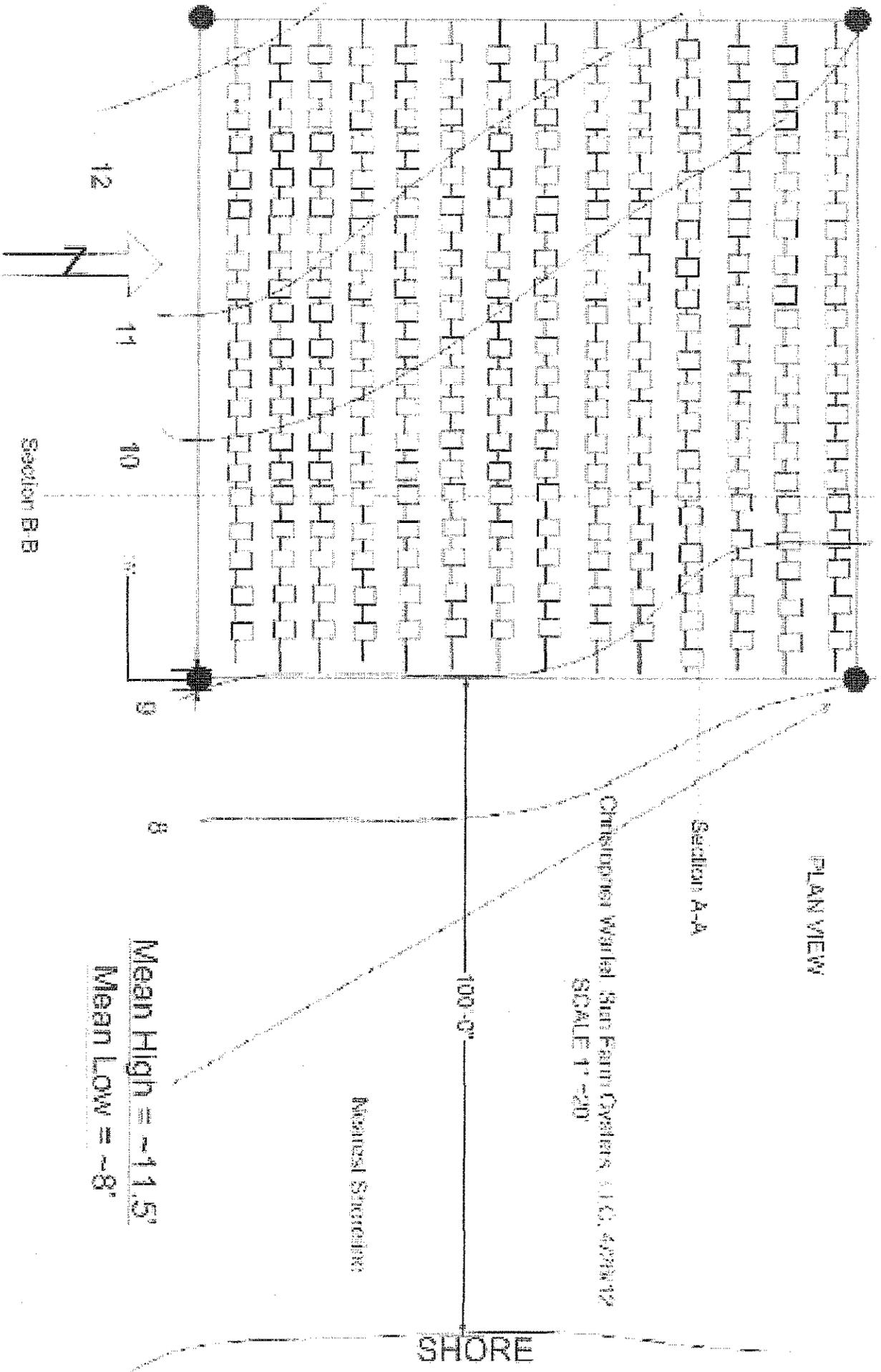
Location of proposed site

Christopher Warfel
Sun Farm Oysters, LLC, 117-52

SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI

PROPOSED GEAR LAYOUT

SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI

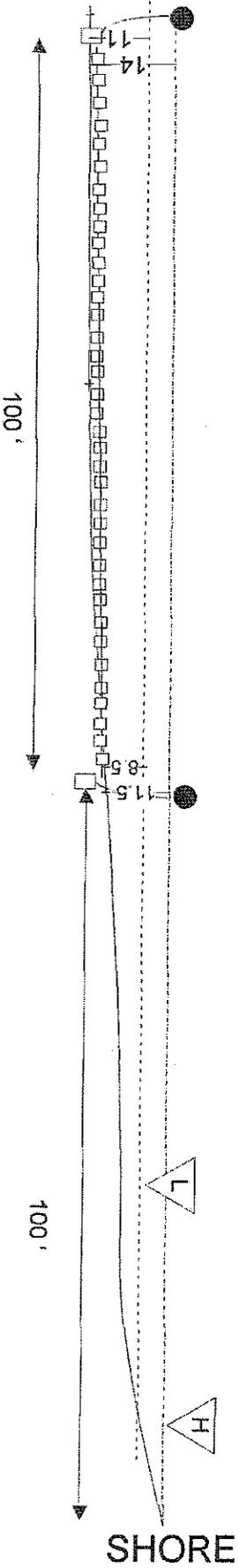


SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI

PROFILE VIEW, SECTION A-A

Mean High = ~11.5'
Mean Low = ~8'

Section A-A

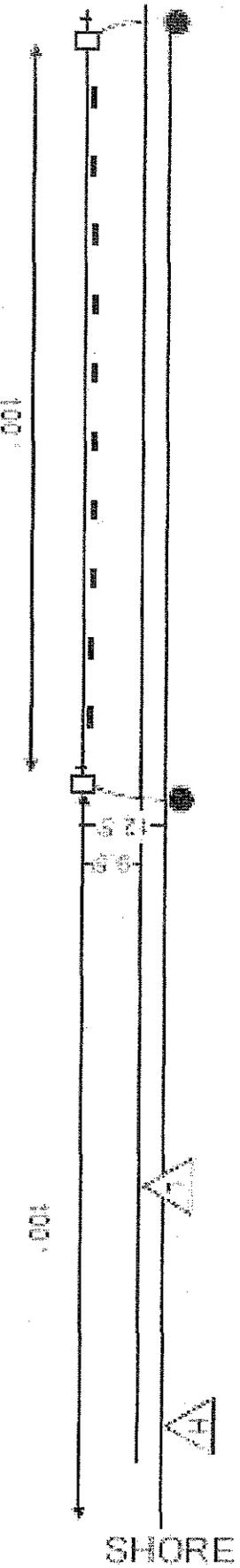


Christopher Warfel, Sun Farm Oysters, LLC, 4/26/12
SCALE 1" = 20'

SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI

PROFILE VIEW SECTION B-B

Mean High = ~11.5'
Mean Low = ~8'



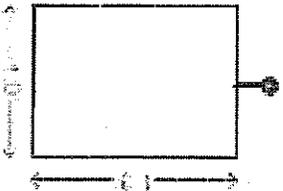
Christopher Warral, Sun Farm Oysters, LLC, 4/26/12
SCALE 1" = 20'

SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI

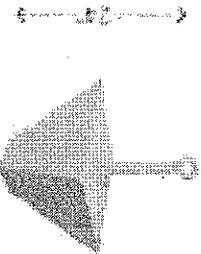
Lease Market Options

			
<p>1.7 Cylindrical Box Height 20" Width 11" Maximum Size Large Medium Small Ring Size 1" Ring Thickness 9" Optional Colors Stowable to 50'</p>	<p>1.8 Cylindrical Box Height 14.5" Width 9" Maximum Size Large Medium Small Ring Size 1" Ring Thickness 9" Optional Colors Stowable to 50'</p>	<p>1.9 Cylindrical Box Height 16" Maximum Size Large Medium Small Ring Size 1" Ring Thickness 9" Optional Colors Stowable to 50'</p>	<p>1.1 Cylindrical Box Height 17" Maximum Size Large Medium Small Ring Size 1" Ring Thickness 9" Optional Colors Stowable to 50'</p>

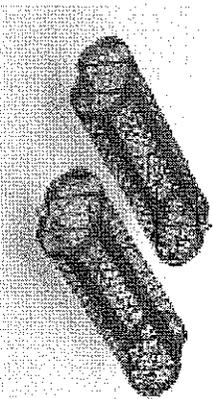
Lease Market Anchor
Aggregate lined bucket with eye-bolt
Mushroom Anchor



150 lbs

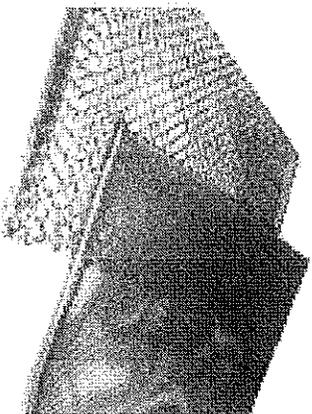


Oyster Cylindrical Cages
Height 20" x 11" x 11" x 11" x 11" x 11"



Conformed Bags and Sealed Bags

Bag Size
12mm 1" mesh 20' x 20'



WRITTEN REQUIREMENTS OF RICRMP

a. Provide written response to all items in Section 300.1

(1) Demonstrate the need for the proposed activity or alteration:

Aquaculture is in the public's interest when conducted properly with consideration given to environmental impact and multiple use needs. The economic benefit of producing a product that is desired by consumers, has no negative environmental impact, and does not unduly restrict use of the location should be seen to be in the overall interest of society.

(2) Demonstrate that all applicable zoning ordinances

Section 300.2 NA

Section 300.3 NA

Section 300.6 NA

Section 300.8 NA

Section 300.9 NA

Section 300.11 Applicable to this application: Aquaculture

See the New Shoreham Shellfish Management Plan which has been previously submitted. Please contact us if not on file

Section 300.13 NA

Section 300.15 NA

Section 300.17 NA

(3) Describe the boundaries of the coastal waters and the land area that is anticipated to be affected

The lease is to be located in the Great Salt Pond in the Town of New Shoreham (Block Island). This area of the Great Salt Pond abuts some marsh area and has no homes within 50 yards. None of the homes in this area are occupied on a year-round basis to our knowledge. The shore directly to the east we considered mostly inaccessible. The shore to the west is approximately one mile away. Andy's Way, a popular place for kayaking, clamming, and wildlife observation is approximately 1600 feet away to the north.

This lease is not designed to use land resources, but is to be entirely contained within the water column of the lease, therefore no land is anticipated to be affected.

(4) Demonstrate that the alteration or activity will not result in significant impacts on erosion and/or deposition of processes along the shore and in tidal waters.

No erosion or deposition is anticipated. The aquaculture operation is to use bottom culture growout methods. This operation does not cause erosion. There is no significant deposition from the shellfish waste. No processing of shellfish is to take place on the lease, therefore there are no other deposition processes.

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

SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI

Shellfish are not significant competitors for resources in this area. The data shows that shellfish we propose to farm are beneficial to water quality. A mature oyster alone can filter over 50 gallons of seawater a day. The increased number of shellfish in this area as a result of the lease will most likely only improve the ecosystem.

(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.

The lease area has been chosen in part, based upon our observations of the current use of this area of the Great Salt Pond to minimize interference with recreation. We have taken a great many pictures over the course of the year to document the use of the area. Little if any use was observed. We can provide a CD of the pictures upon request.

The public will still be able to use their boats, kayaks, canoes, and other similar small number of recreational vessels in this area. There will be no limit placed on the access to these areas other than directly in the water column.

(7) Demonstrate that the alteration will not result in significant impacts to water circulation flushing turbidity and sedimentation.

The bottom culture method is also dependent upon *not* impeding water circulation. Bottom culture impedes water circulation at the bottom of the water column. However, the area profile of the gear layout proposed is a minor percentage of the Great Salt Pond's water column. All shellfish is in HDPE mesh.

(8) Demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM.

Shellfish aquaculture grow out does not result in deterioration of water quality.

(9) Demonstrate that the alteration or activity will not result in significant impacts to areas of historic and archaeological significance.

This lease shall not cause in the removal of any soils, nor shall it reside upon any land, or disturb the bottom of the Great Salt Pond.

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

See (6) above. The lease has been positioned to be consistent with multiple use objectives. The commercial activities for this area of the Great Salt Pond are recreation boating. This activity can continue. Recreational boating still has access to all shorelines and through the proposed lease. Buoy floats will be on the surface and should not be an obstacle to boating.

The Preliminary Determination Hearing and subsequent Town of New Shoreham committee/commission hearings raised several concerns with our application. We believe we have addressed the concerns that have merit with the changes to our application.

SUN FARM OYSTERS APPLICATION FOR AQUACULTURE LEASE IN THE GREAT SALT POND, BLOCK ISLAND, RI

- a) Concern that the mooring shafts proposed would present a hazard if they were to become vertical. Comparisons were made to mushroom moorings that are used to anchor boats. We pointed out that our oysters are bottom culture, not floating culture and the forces would be downward and not upward. Nonetheless, we have found pyramid anchors that have a short shaft and can be used to secure the oysters to the sinking line.
- b) Concern that there would be a large number of buoys on the surface stemming from a mistake in one of our drawings. The drawing has been corrected to show that four corner buoys will comprise the surface component of the lease.
- c) Concern that our skiff will be on the site for long periods of time have caused us to consider the use of 4 5" wire mesh oyster grow-out cages made by Ketchum Trap in New Bedford, MA. Multiple bags can be placed in the cages so that more bags can be hauled at one time shortening the time on the lease.

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

We are concerned with the scenic impact of this lease upon the Great Salt Pond. We are using bottom culture which will not be visible from the surface. Buoys used in marking the lease will be a color that will allow the buoy to be visible, but not obtrusive. We requested interested parties to suggest colors and sizes of buoy markers, but have received no response. Therefore, we propose to use a combination of colored buoys to mark boundaries and to indicate the location our bottom culture sinking lines. Our thinking is that recreational users of the area will find it more helpful to have different colored buoys so that they can more easily designate a particular buoy to use as a turning point if they are practicing sailing in this area.

