



COASTAL  
RESOURCES  
CENTER



April 11, 2022

Dear Bay SAMP Working Group Member,

We are writing to express our gratitude & appreciation for your contributions to the Bay Special Area Management Plan (SAMP) Aquaculture Element process. Your volunteer service through countless hours as a Working Group member helped to shape sound recommendations for the future of aquaculture in Narragansett Bay. The Bay represents us all, whether through commercial or recreational pursuits. It represents our happiness, our livelihoods, and our future in a myriad of ways. Your expertise, passion, and dedication to the Bay throughout this one-year+ process has been invigorating, enlightening, and fruitful for all Rhode Islanders and beyond who value the Bay.

Your hard work has resulted in several implemented administrative policy changes to ensure a balanced future for the many resource users in the Bay. Additionally, we look forward to tackling the regulatory suggestions soon. Please find attached a summary of the activities of the Bay SAMP since March 2021. For more information, to view past meetings, and to join the CRMC Aquaculture Listserv, please visit: <https://web.uri.edu/crc/narragansett-bay-samp/>.

The team at CRMC would like to see the involvement of the Working Group continue in some way into the future. We hope to discuss with you ways this group can continue to inform aquaculture policy and science in a meaningful way, much like aquaculture working groups that have convened in the past.

As always, we welcome your continued feedback on this iterative process of defining a balanced future for aquaculture in the Ocean State. We hope you will continue to stay involved in decision-making in meaningful ways. We are all better for your time and efforts!

Most Sincerely,

Jeffrey M. Willis, Executive Director  
RI Coastal Resources Management Council

## *Summary of Bay SAMP Aquaculture Element Process*

*Start date: March 2021*

*Target wrap up date: May 2022 (anticipated)*

**Overview:** The Rhode Island Coastal Resources Management Council (CRMC) Narragansett Bay Special Area Management Plan (Bay SAMP) engages the public in the gathering, synthesizing, and sharing of Bay science and best management practices for the purpose of updating state policy to guide Rhode Island's use and management of Bay resources and activities. The initial focus of the Bay SAMP is to develop policy and standards for the siting of submerged cables within state waters for offshore renewable energy development, and to guide and manage aquaculture projects within Narragansett Bay and the Sakonnet River. The CRMC is undertaking this long-range planning effort to respond to its primary responsibility of preserving, protecting, developing, and, where possible, restoring coastal areas of the state.

**Since March 2021, the Bay SAMP effort has focused on aquaculture in Narragansett Bay. This process (Aquaculture Element) and associated activities and outcomes is summarized in this report.**

CRMC is obligated under its state enabling legislation to “preserve, protect, develop, and, where possible, restore the coastal resources of the state.” This charge requires CRMC to work towards a balance of uses in tidal waters, including recreational uses and the leasing of tidal waters for commercial use consistent with the enabling legislation. The University of Rhode Island (URI) Coastal Resources Center and Rhode Island Sea Grant (CRC/RISG) is assisting CRMC in the development of the Bay SAMP. Please visit our Frequently Asked Questions for more information about the Bay SAMP at [http://www.crmc.ri.gov/samp\\_bay/BaySAMP\\_FAQ.pdf](http://www.crmc.ri.gov/samp_bay/BaySAMP_FAQ.pdf).

**Engagement Metrics:** Using an extensive public process, the Bay SAMP process has engaged more than 600 stakeholders<sup>1</sup> through nearly 30 stakeholder meetings. Engagement included one-on-one interviews with municipal leaders, fishermen, and other resource users, as well as Working Group meetings and Educational Series Webinar presentations. In many of these forums, notes are provided, and when virtual, recorded and posted on the Bay SAMP website at [http://www.crmc.ri.gov/samp\\_bay.html](http://www.crmc.ri.gov/samp_bay.html). Working Group meetings focused on specific areas of the Bay (i.e., East Passage, West Passage, Sakonnet), as well as specific resource users (recreational and commercial fishers, municipalities, researchers, aquaculture industry members) to direct the discussion towards topics of most concern and interest to those stakeholders. Additionally, the CRC/RISG supporting staff presented at the Tiverton Town Hall, at the urging of a State Representative, to share details about the Bay SAMP process and clarify the public involvement process.

**Aquaculture Working Group:** CRMC has committed to engaging the public during all phases of the Bay SAMP Aquaculture Element process. Besides public meetings and workshops, the Aquaculture Element Working Group, made up of over 70 Rhode Islanders representing resource users, municipalities, researchers, environmental organizations, and federal and state agencies, served as a vehicle for the development of project deliverables. See list of Working Group members here: <https://web.uri.edu/crc/files/Aquaculture-Working-Group-102221.pdf>. As volunteer advisors, the

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<sup>1</sup> Tally of attendees at all the Bay SAMP meetings, not necessarily different individuals, as many of the same stakeholders participated in the meetings.

Working Group brought its expertise to the table, asking questions, learning, and making recommendations. The Working Group has been an advisory body to the CRMC, has no legal or regulatory authority, and thus is not a public body as defined under state law. Therefore, the Working Group meetings were not subject to Open Meeting Act notification. The public was notified of all working group meetings through CRMC Rhode Island Aquaculture Listserv.

**Documenting Stakeholder Comments:** Based on discussions and comments from the Bay SAMP Aquaculture Element process, CRMC compiled concerns and suggestions. From Dec. 7 – 31, 2021, stakeholders had the opportunity to submit public comments. The CRMC received a total of 225 public comments<sup>2</sup> with 44% of comments coming from general public stakeholders. The aquaculture industry represented 20% of comments, municipalities represented 11% of comments and the Rhode Island Coastal Advocacy Coalition represented 13% of comments. The remaining comments were submitted by individuals representing various organizations.

**Educational Series (Webinars):** As a complement to the Bay SAMP Aquaculture Element process, meetings with municipalities, and convening of the Working Group, CRMC and CRC/RISG supporting staff hosted a series of webinars focused on Bay SAMP topics. The free and public webinar series was generally hosted monthly, featuring experts in the topic being discussed, and can be seen at <https://web.uri.edu/crc/narragansett-bay-samp/>. In each webinar, there were between 70-100+ registered attendees, with actual attendance on an average of 70 people. The topics were selected based on stakeholder interest, with CRMC and CRC/URI then polling the Working Group to finalize topics. URI academics largely provided the environmental, legal, economic, and cultural/historical topic talks, with experts including Dr. Mike Rice, Dr. Chris Kincaid, Dr. Tracey Dalton and Professor Dennis Nixon. Also, talks were given by Dr. Wallace Fulweiler (Boston University), Eric Schneider (Rhode Island Department of Environmental Management), Robbie Hudson (Roger Williams University), Ed Cabral (Town of Warren), and Robert Jones (The Nature Conservancy). Two webinars are planned for April and May 2022 (announcements forthcoming).

**Administrative changes:** The CRMC has established several administrative changes to aquaculture permitting and activities in the Bay after thoroughly reviewing stakeholder comments submitted through the Bay SAMP process. These changes include: **1) Enhancing the notification process, 2) Providing additional support in the preliminary determination (PD) process, 3) Implementing guideline recommendations regarding low-profile growing gear, and 4) Other changes.** In detail, these changes include:

**1) Enhanced Notification:**

- a. Enhanced notification of new or expanded lease applications through the CRMC Aquaculture Listserv, which includes multiple stakeholder groups, including commercial and recreational fishing associations.
- b. Enhanced notification of new leases or expansions (including PD meetings) by CRMC to all property owners and aquaculturists within a 1000' notification zone.

**2) Preliminary Determination (PD) process and supporting info:**

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<sup>2</sup> Individual stakeholder comments were separated into categories or themes in order for CRMC to better analyze the information. The categories were selected based on CRMC and CRC/URI discretion.

- a. Expand the PD review process which requires applicants to produce a map of the site with necessary information within the 1000' contiguous area. Information CRMC deems necessary within the 1000' contiguous includes the location of and distance to:
    - i. All property owners and other aquaculture operations
    - ii. Approved moorings, mooring fields, or other boating facilities
    - iii. CRMC designated Rights-of-Way (ROWs)
    - iv. Shoreline sites which have been preserved for conservation, recreation and/or public access through easements, purchased by the state or municipality, or are owned by a land trust or state-recognized conservation organization.
  - b. Expanded requirements for applicant's operational plans to be included in new applications. Information should include:
    - i. A demonstration of the degree of exclusivity required by the applicant to effectively undertake the aquaculture activities on the proposed site.
    - ii. A plan for the public's reasonable ingress and egress to and from the area of the proposal for traditional water activities such as boating, swimming, and fishing.
  - c. A second PD meeting may be held, as needed, to explore all the issues raised during the first PD meeting and stakeholder comments/concerns.
  - d. While not required, it is recommended that applicants consider holding a scoping session with CRMC and stakeholders before submitting their applications and/or before their PD meeting.
- 3) **Low-profile growing gear:** CRMC Guidelines for the Siting of Aquaculture Gear (preliminary applications reviewed for consistency with the Guidelines by analyzing the 1000' area map with necessary information):
- a. Floating gear should be a minimum of 750 feet from the nearest residential structure.
  - b. Low-profile floating gear shall be required (maximum 4" above still water elevation) unless the application can demonstrate a significant reason and need for a larger profile.
  - c. Floating gear is discouraged in areas where the fetch from the prevailing wind is greater than three (3) nautical miles.
  - d. Floating gear and all corner marker buoys should be secured with helical (screw) anchors.
  - e. Floating gear shall have a minimum \$15,000 proof of performance bond.
  - f. Floating gear is discouraged in Type 1 waters.
  - g. Floating gear should not be in areas which contain significant boat traffic or significant water based recreational activities, including but not limited, to sailing, kayaking, paddle boarding, kiteboarding, windsurfing or swimming.
  - h. Floating gear should be at least 200 feet from an existing CRMC approved recreational mooring field.
  - i. Floating gear should be discouraged within 400 feet along shorelines which have been "Preserved for conservation, recreation and/or public access through easements, purchased by the state or municipality or are owned by a land trust or conservation organization and have been recognized by the CRMC".
  - j. Floating gear should not be located within 400 feet along shorelines where: "Public access is provided through CRMC Rights-of-Way (ROW), public land where the primary

purpose is intended for public access, or by CRMC easements and/or where there is evidence of significant public usage and access.”

- k. Leases approved for direct bottom plant or submerged cages may receive a stipulation preventing modification to the use of floating gear.
  - l. Towns may recommend areas where floating gear should be discouraged and/or encouraged.
- 4) **Other changes:**
- a. Maximum of two (acres) for initial leases (floating gear or otherwise) in the upper Narragansett Bay (defined as the area north of latitude 41°35'). Expansion after initial lease may be permitted to maximum of 3 acres.
  - b. Maximum of three (3) acres for initial lease elsewhere in Narragansett Bay (for floating gear only). No maximum limit is set for expansion after initial lease.
  - c. Aquaculture gear shall not be permitted over or within 25 feet of protected submerged aquatic vegetation (SAV).
  - d. Aquaculture gear shall not be permitted in areas of significant recreational or commercial fishing activity.

These proposed changes are available on the CRMC Aquaculture website (<http://www.crmc.ri.gov/aquaculture.html>) and the Bay SAMP website (<https://web.uri.edu/crc/narragansett-bay-samp/>).