

**RHODE ISLAND MARINE FISHERIES COUNCIL**  
Shellfish Advisory Panel  
January 29, 2014, 4:30 pm  
Fort Wetherill Marine Laboratory, Jamestown, RI  
**Meeting Minutes**

RIMFC Members Present: J. Grant (Chair)

SAP Members Present: J. Gardner; K. Eagan; P. Kennedy

Scientific Advisor Present: D. Leavitt

Public Present: Applicants: Brian Pinsky; Ian Campbell; Jim Arnoux Other Public: Tracey O'Neil; Patrick Bouf

CRMC: D. Beutel

DEM Fish and Wildlife: J. Mercer

**New Business:**

Jeff Grant began with welcoming remarks and stated that the purpose of the meeting was to review three aquaculture lease applications and their potential impacts to wild harvest fisheries. He noted that there was a light turn out of SAP members. D. Beutel asked if a quorum was necessary for the meeting to take place. J. Grant stated it was his judgment call to hold the meeting and stated that everyone on the board was aware of the meeting and if they did not show up then he was under the assumption that they had no objection to the applications.

***1. Proposed Aquaculture Lease: CRMC File # 2013-08-013, Brian Pinsky, Ninigret Pond, Charlestown.***

J. Mercer presented a series of maps of the location and noted that it was in shallow water. He also stated DEM conducted a site visit on 12/13/13 but the location was covered with ice so a 16" bullrake was pulled for 5 meters near the northern perimeter and two lady crabs were caught.

B. Pinsky noted it was 1.5' on the western side and just under 3' on the east side. He did not find any clams or eelgrass in the site. He plans to use rack and bag culture.

J. Gardner presented a hard copy of a list of concerns (attached) that were developed based on conversations with people in the area. He noted that he was in an awkward position as he was on the committee representing aquaculture industry. He read through the list of concerns.

K. Eagan asked what type of fishing will be impacted by the lease. J. Gardner mentioned that the neighboring lease owner (Rob Krause) was also a commercial fisherman and rather than being able to fish he would have to deal with tangled gear that could possibly be dislodged from the Pinsky lease. He also mentioned that there was no space between the leases which might preclude access to other fishermen, specifically clambers.

J. Arnoux mentioned that there are not a lot of clams but there is a lot of people that anchor up on the west and southwestern edge of the lease.

P. Kennedy mentioned that it is an area that is heavily used for recreational purposes and the shallow nature of the lease means that it will not be compatible with other recreational uses. He said that kayakers use the area heavily and that the overwash fan, in general, is one of the most popular recreational clamming areas in the state. He thinks that the placement of this lease is particularly bad and there is greater benefit to the state with the area remaining as a recreational destination rather than as an aquaculture lease.

J. Arnoux noted that he observes most people stay around Governor's Island to the west of the proposed lease.

K. Eagan asked about landings for shellfish in the ponds. J. Mercer noted that landings in the ponds are relatively low and field assessments have shown low densities of shellfish species.

J. Arnoux noted that the overwash fan does not have a lot of clams but recreational users still like to use the area because of the shallow, sandy bottom.

Ian Campbell noted that he fished the pond often and even as a child there were no clams in that area.

J. Grant asked for a motion: K. Eagan motioned to **not object** to the lease application since it did not appear to impact wild fisheries; P Kennedy seconded. J. Grant then asked for a vote for all in favor of not objecting. **K. Eagan voted in favor, P. Kennedy was opposed, and J. Gardner abstained. D. Leavitt and J. Grant added their opinions that they would not object to the lease since there was no consensus amongst the members of the board.**

D. Beutel noted that at the moment there were no formal objections to the lease. If there are no formal objections the lease will not go to a CRMC hearing.

**2. *Proposed Aquaculture Lease: CRMC File # 2013-11-065, Ian Campbell, Point Judith Pond, South Kingstown.***

J. Mercer presented a series of maps of the location and noted that it lies just to the west of the navigation channel and covers portions of the sand bar that extends south of Beef Island. The west side is approximately 1' and the east side is approximately 8'. He also stated DEM conducted a site visit on 12/13/13 during which three 3 bullrake transects were raked covering 6 m<sup>2</sup> and average density of just under 1 quahog per square meter was observed.

I. Campbell noted that he is fishing on the pond often and has never found any appreciable densities of shellfish in the area. He noted that he is favoring the channel side of the sand bar in recognition that there is some recreational activity that takes place on the sand bar.

J. Mercer noted that DEM received written comment from Art Ganz that read ““My sense is that both the Smelt Brook & Beef Island sites are used for wild harvest. I know conditions have changes since I was actively on the Point Judith Pond... Beef Island area was a very popular shellfishing spot, and back when it was covered in eelgrass it supported a rich scallop resource. It now looks like all of the historical scallop grounds are leased.”

I. Campbell noted that he has tried fishing for scallops in the area and there are virtually none present and what the area used to be and what it is now are entirely different and he is hoping to secure a future in the commercial seafood industry by applying for this lease. He stated that he is going to use cage and bag and bottom culture.

K Eagan noted she had not heard any objection from other commercial fishermen.

P. Kennedy noted that he has not seen any recreational fishing in this particular area; recreational digging is focused closer to Beef Island.

J. Grant asked for a motion: J. Gardner offered a motion to **not object** to this application. K. Eagan seconded the motion. **The board voted unanimously to not object to the application**

**3. *Proposed Aquaculture Lease: CRMC File # 2014-01-007, East Beach Farm LLC (James Arnoux) Quonochontaug Pond, Charlestown.***

J. Mercer presented a series of maps of the location noting that this would be the first application in Quonochontaug pond. The northeast corner was approximately 4” and the south side approximately 3.5’ at low tide. He also stated DEM conducted a site visit on 12/13/13 during which 3 bullrake transects were raked covering 6 m<sup>2</sup> and found only 1 clam for a density of 0.15 clams/m<sup>2</sup>.

K. Eagan asked why there were no other applications in Quonochontaug Pond.

J. Arnoux mentioned that access and the lack of marinas make working the lease difficult. He will be trailering a boat.

J. Gardner noted that the wealthy residents surrounding Quonochontaug Pond have tried to preclude aquaculture in the pond in the past.

J. Arnoux stated that he spoke to the property owner to the north of the lease (the only person who would be impacted visually) and she was not objecting to the lease.

J. Gardner noted that he personally thinks that it is a good spot for aquaculture. He also noted that there was currently an oyster harvest moratorium in the pond but aquaculture oysters would be exempt since they are personal property.

J Arnoux added that the site was a barren sandy area.

J. Grant asked about the “restoration area” of the site.

J. Arnoux offered that he was reserving a portion of the site to grow spat on shell as part of the NRCS EQIP restoration program.

J. Grant asked for a motion. P. Kennedy offered a motion to **not object** to this application. J. Gardner seconded the motion. **The board voted unanimously to not object to the application**

The meeting was then adjourned.

Prepared by: Jeff Mercer

1/29/14

## ISSUES/LEASE

1. "on top of another farm" corner markers touch. No access for fisherman or others. 50' is not enough
2. Depth of leases is lower than indicated and any gear will drift within onto existing lease causing loss of gear, expense, time for commercial fisherman.
3. Leases no room for existing lease to expand
4. Currently 7 leases in a row Community is NOT HAPPY with existing development of the industry (processors receiving calls from neighbors/friends/boaters and fishermen/charms)
5. "Rumor" or FACT Managers have stated no more agriculture boats allowed at the marina's (commercial fishers also) due to impact on other users (boaters, fishers etc.)
6. ★ Social CARRYING CAPACITY HAS BEEN REACHED OR SURPASSED (told to me by other users of port)

submitted by Jeffrey Gardner to DEM  
member Shelly Adair  
1/29/14

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