



Rhode Island Marine Fisheries Council

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April 27, 2018

Dave Beutel, Aquaculture Coordinator
Coastal Resources Management Council
4808 Tower Hill Road
Wakefield, RI 02879

Re: CRMC Aquaculture Lease Application # 2017-12-086 – Raso
Potter Pond

Dear Mr. Beutel:

Pursuant to RIGL § 20-10-5, the above-referenced application was brought before the RI Marine Fisheries Council (hereafter “Council”) on March 14, 2018, for consideration. At that meeting, the Council considered the recommendation of its Shellfish Advisory Panel, rendered on February 7, 2018, as well as extensive public comments, written and oral, and the testimony from the applicant. On the basis thereof, the Council deliberated on the matter, but was unable to reach consensus on whether the proposed activities are consistent with competing uses engaged in the exploitation of the marine fisheries. In fact, the Council was split, with half finding that the activities are consistent, and half finding that they are not.

Those Council members finding that the application is consistent offered the following rationale:

- Wild-harvest activities, including shellfishing and finfishing, do occur in Potter Pond, including the general area of the lease proposal. However, the nature and extent of wild-harvest activities in the specific area targeted by the lease proposal is difficult to determine, given conflicting comments provided on that issue. As such, there is no clear evidence that the proposal would have a particular impact on wild-harvest activities in the specific area targeted by the lease proposal. Further, any potential impacts would be restricted to the footprint of the proposed lease site, and not affect wild-harvest activities elsewhere in the pond, including the waters surrounding the proposed site.
- Shellfish densities in the specific area targeted by the lease proposal are less than 1 shellfish per square meter; thus, resource availability in that specific area is not high enough to support significant shellfish harvest opportunities.
- The ecological benefits associated with the lease proposal are significant, and may enhance wild-harvest opportunities in Potter Pond, including in the vicinity of the proposed lease site.
- The proposed application, if approved, would maintain the portion of Potter Pond used for aquaculture at 5 percent or less.

Those Council members finding that the application is not consistent offered the following rationale:

- Wild-harvest activities, including shellfishing and finfishing, do occur in Potter Pond, including the general area of the lease proposal. The record includes numerous (50 +/-) comments from anglers and local residents who maintain that the proposal conflicts with those activities.
- Notwithstanding the challenge of determining the nature and extent of wild-harvest activities that occur in the specific area targeted by the proposal, if the proposal were approved, the placement of gear in the area would effectively preclude most wild-harvest activities, particularly finfishing in the lease area. Potter Pond is known to be a hot spot for recreational fishers targeting striped bass during cinder worm hatches in the spring. Casting for striped bass within the footprint of the lease site, if approved, would become impracticable, given the high likelihood of getting snagged on the aquaculture gear.
- While shellfish densities in the specific area targeted by the lease proposal are relatively low now, they could increase over time, as is often the case with shellfish populations that have peaks and valleys. Some fishermen said they fished the area between the shore and proposed aquaculture lease area both commercially and recreationally. This makes the area more attractive for shellfishing as it can be reached from shore or boat by fishermen and residents.

The Council offers these varying perspectives with the understanding that they will be thoughtfully considered by the CRMC as the lease proposal is subject to additional review and decision.

Sincerely,



Robert Ballou, Chair
RIMFC

cc: RIMFC