



NEW ENGLAND BACKCOUNTRY HUNTERS & ANGLERS

November 14, 2023

To: Jeffrey Willis, Executive Director, Rhode Island Coastal Resources Management Council (RI CRMC)
Ben Goetsch, Aquaculture Coordinator, RI CRMC

Re: BHA Opposition to 2020-04-037

Backcountry Hunters & Anglers (BHA) seeks to ensure North America's outdoor heritage of hunting and fishing in a natural setting. BHA's members recognize that our participation in, and the perpetuation of, our outdoor traditions relies primarily upon two things – access to places to hunt and fish, and abundant populations of fish and wildlife to pursue.

With these things in mind, **we urge CRMC to deny Application No. 2020-04-037**, which seeks to establish an oyster farm within Seapowet Cove in Tiverton. BHA originally objected to 2020-04-037 in correspondence submitted to CRMC on July 7, 2021. We re-iterated our objection in correspondence submitted on June 8, 2023, in response to the modified application being re-noticed for public comment. In this correspondence we will provide additional evidence to reinforce the points of opposition that we have raised previously.

It is clear in RI General Laws § 46-23-1 that CRMC's directive is neither to prioritize the development of coastal waters and the adjacent lands, nor to deter such development in favor of public use. Rather, the Council is tasked with balancing these sometimes "opposing" forces, following the guidance that *"it shall be the policy of this state to preserve, protect, develop, and where possible, restore the coastal resources of this state for this and succeeding generations through comprehensive and coordinated long range planning and management designed to produce the maximum benefit for society from these coastal resources..."*

Approving 2020-04-037 would run afoul of CRMC's "Coordinated Planning" Directive

It has been well-documented in public testimony (for example, on pg. 491-536 of Appendix A in CRMC's files) that the State of Rhode Island has invested more than \$2,000,000 in the acquisition of development of Sapowet Marsh Wildlife Management Area as a public access/public recreation site over the last century. While the purchases associated with the establishment, expansion and development of the WMA are indisputably terrestrial, their *value* has always involved their proximity and access to the coastal waters adjacent to the WMA. For example, in the "Sapowet Marsh Project Statement" that was submitted to the Federal Government for assistance to fund the Lacerda acquisition in 1997, which would ultimately become the State's largest financial investment in the vicinity, DEM's Fish & Wildlife Division asserted that one of the reasons that the feds should fund the project was because the focus area *had parking for 20-30 cars, offered over 2000 feet of shore-based fishing, as well as pier fishing from the tidal creek bridge, and a boat launch that allowed anglers to pursue striped bass, bluefish, and squeteague from small powerboats, sailboats and cartopped boats from a cobblestone ramp.* (pgs. 496-497)

In simple terms, CRMC *cannot* move consider application 2020-04-037 without accounting for the considerable investments that the State of Rhode Island has made to provide public access/public

recreation opportunities available in the immediate area, even though most of these investments have been facilitated through RI's Department of Environmental Management rather than CRMC. To do so would be contrary to the "coordinated planning" directive that RI's General Assembly gave the Council when it was created.

2020-04-037 would be *The Closest* Aquaculture Lease to a State-Managed Public-Access Facility in RI

In prior correspondence, BHA has asserted that the access to coastal waters provided by Sapowet Marsh WMA is unique along the entire twelve-mile length of the Sakonnet River, and that this warranted protection from commercial development of any kind within Seapowet Cove. As most recently proposed, the lease detailed in application 2020-04-037 would be approximately 500 feet from the state-managed small craft launch at the WMA, situated well within the Cove.

If it is granted, the development proposed in 2020-04-037 would become the closest aquaculture lease of any sort, in any location, to a state-managed coastal access facility in Rhode Island. In Appendix A we have provided a reasonably exhaustive list detailing the approximate distance between various state-managed access facilities (DEM & CRMC) and active aquaculture leases throughout Rhode Island.

Statewide there are only three instances where aquaculture facilities currently exist within ~1,000 feet of state-managed public access facilities. Two of these instances occur near CRMC ROW's (Point St. Portsmouth V-5 – 770ft, Foddering Farm Rd. Extension Narragansett C-12 – 660ft), and the final occurrence is near a DEM-managed boat ramp (Galilee – 700ft). None of these instances is directly comparable to Sapowet Marsh WMA, though. The Galilee Boat Launch is designed and situated to facilitate the launching of large fishing boats that are primarily headed offshore and holds relatively little value to small-craft operators or shore-based anglers, especially given that there are several other access points nearby to fish from shore and launch small craft in Point Judith Pond. Each of the CRMC ROW facilities has either limited or no on-site parking, and as a result do not provide reliable access of any kind for those who do not live nearby.

There is no example in Rhode Island where commercial aquaculture development has been allowed in such close proximity to ANY existing state-managed coastal access facility, let alone one that provides the types and magnitude of public access that Sapowet Marsh WMA does. To approve 2020-04-037 would, in essence, constitute a significant shift in the way that CRMC balances the facilitation of commercial development within coastal waters and the protection of existing public access to them.

Again, we respectfully **urge CRMC to deny Application No. 2020-04-037** based on the rationale and evidence that we have presented in this and prior correspondence.

Thank you for your consideration, and for the opportunity to provide testimony.

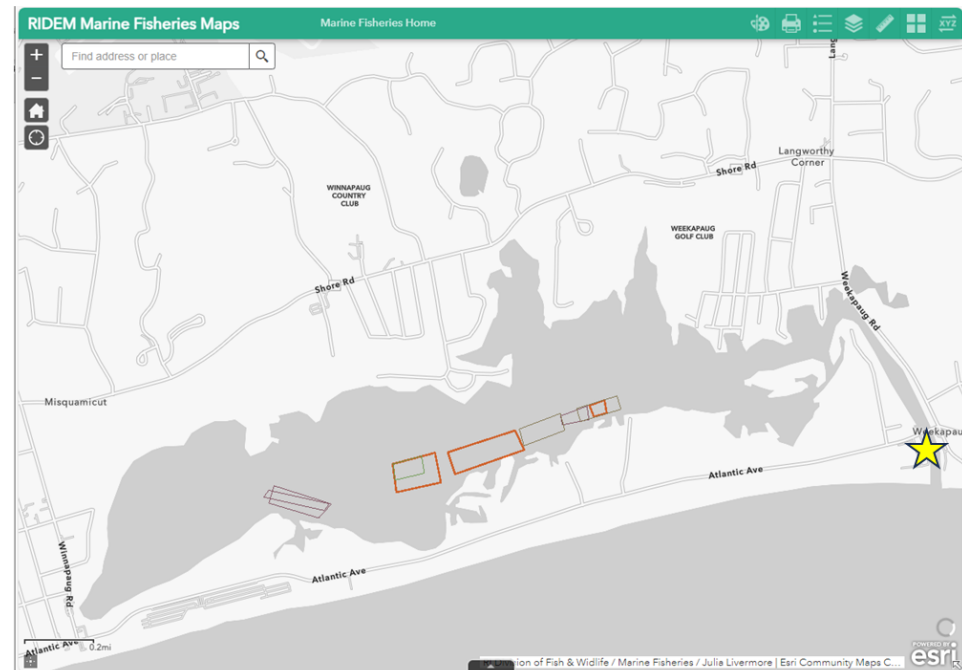
Sincerely,

Michael Woods
Saunderstown, Rhode Island
rhodeisland@backcountryhunters.org
Chair, New England Chapter Board
Backcountry Hunters and Anglers

Appendix A – Active Aquaculture & State-Managed Coastal Access Facilities

Winnepaug Pond

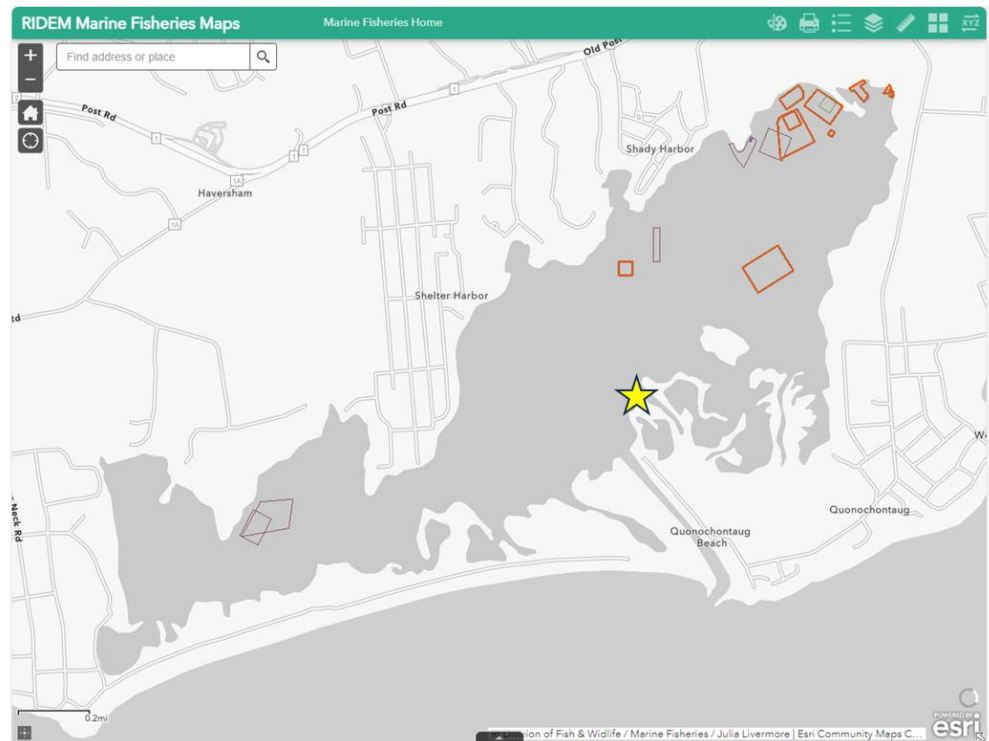
- CRMC ROW's – none
- DEM Access Facilities ★
 - Fishing access point at Weekapaug Breachway (not a boat launch)
- Distance to closest Aquaculture facility
 - ~1.25 miles Breachway



Appendix A – Active Aquaculture & State-Managed Coastal Access Facilities

Quonochontaug Pond

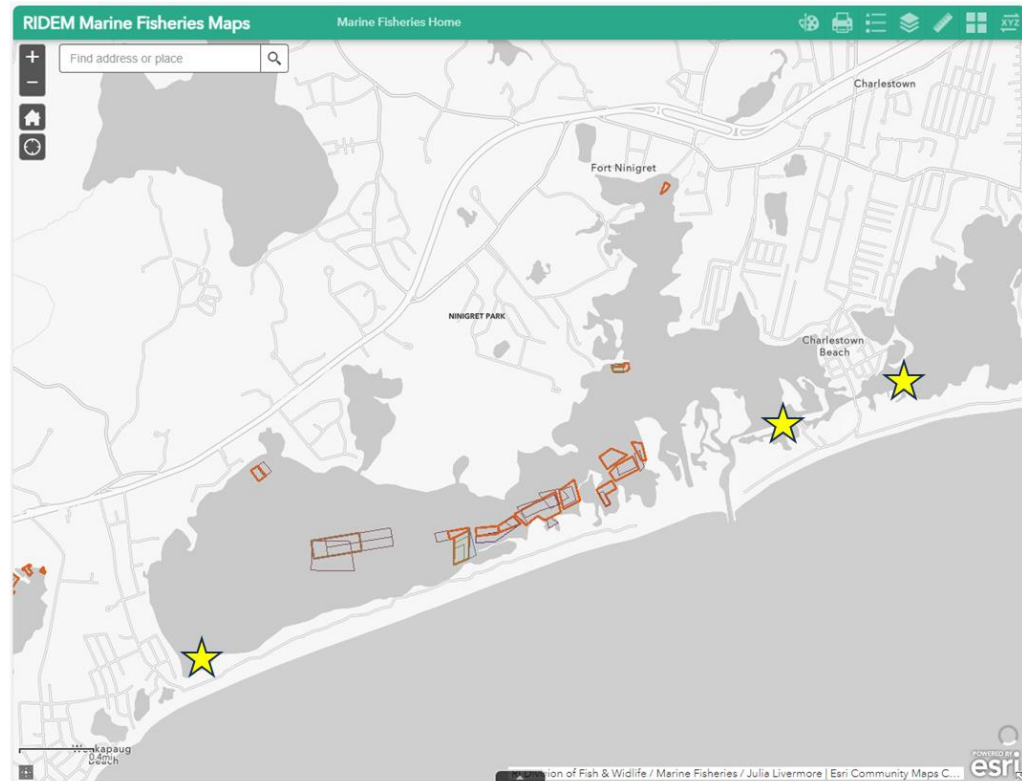
- CRMC ROW's – None
- DEM Access Facilities ★
 - Boat ramp at Quonochontaug Breachway
- Distance to closest Aquaculture facility
 - ~.5 miles Breachway (ramp)



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Ninigret Pond

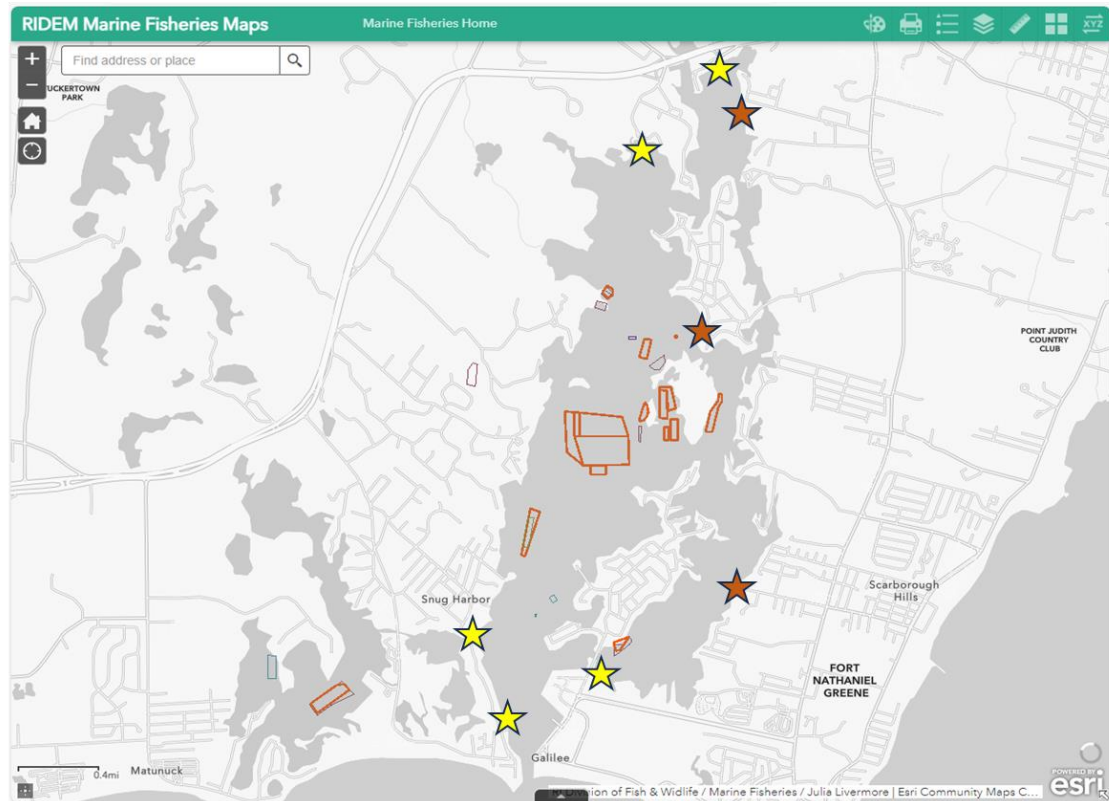
- CRMC ROW's – None
- DEM Access Facilities ★
 - Small craft access from East Beach State Park
 - Boat ramp at Charlestown Breachway State Park
 - Boat Ramp near Charlestown Town Beach
- Distance to closest Aquaculture facility
 - ~1 mile East Beach (ramp)
 - ~.8 miles Charlestown Breachway (ramp)



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Point Judith & Potters Ponds

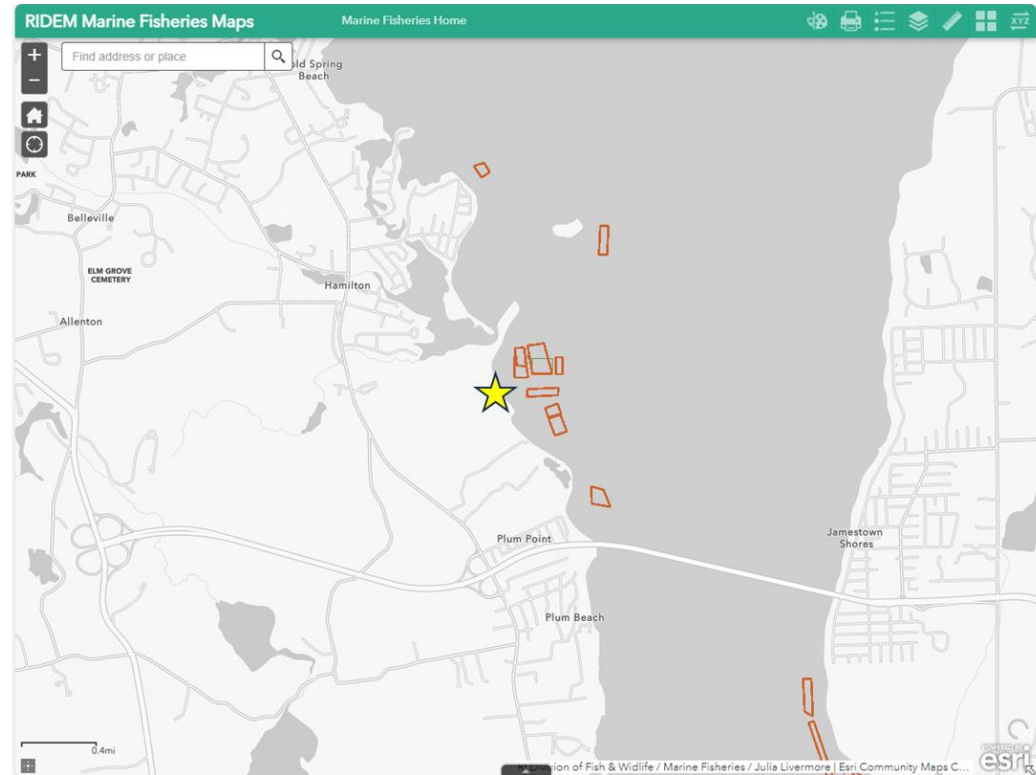
- CRMC ROW's ★
 - Knowlesway Extension C-1
 - Foddering Farm Rd. Extension C-12
 - Wandsworth St. Extension C-14
- DEM Access Facilities ★
 - Boat Ramp at Snug Harbor
 - State Pier #4 fishing access (Succotash Rd.)
 - Galilee Boat Ramp
 - Pond St. Boat Ramp
 - Marina Park Boat Ramp
- Distance to closest Aquaculture facility
 - ~660 ft Foddering Farm (ROW)
 - ~700 ft Galilee (ramp)
 - All others (6 access points) > 1000 feet



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Rome Point

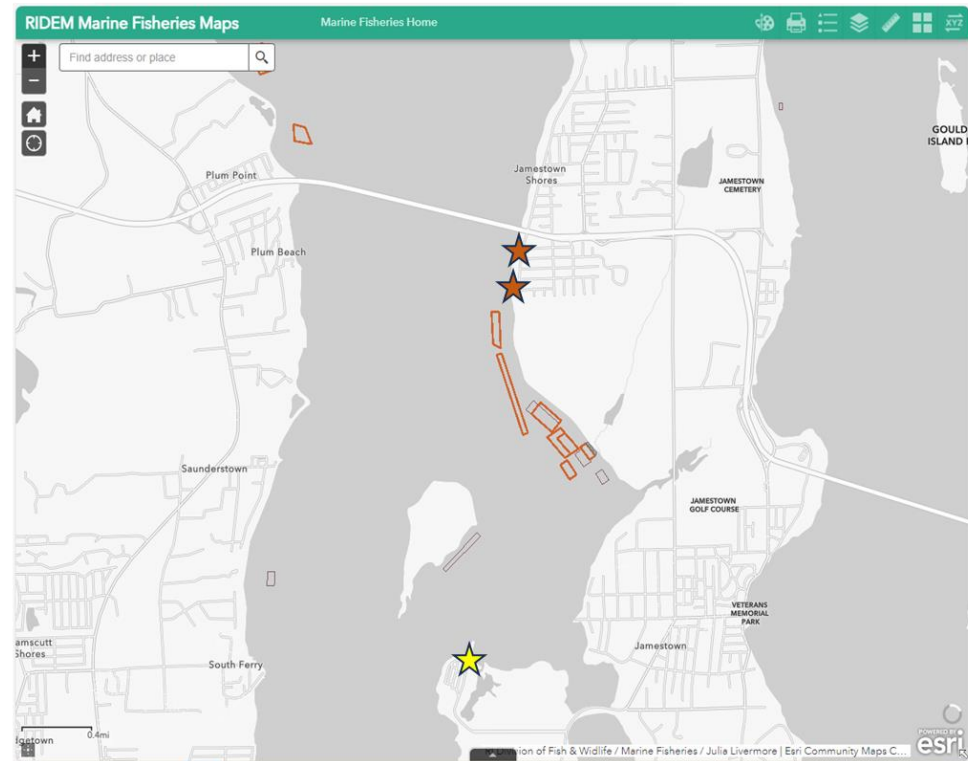
- CRMC ROW's – None
- DEM Access Facilities ★
 - Fishing Access from Chafee State Park (.25 mile from parking)
- Distance to closest Aquaculture facility
 - ~0.37 miles from parking



Appendix A – Active Aquaculture & State-Managed Coastal Access Facilities

West Passage

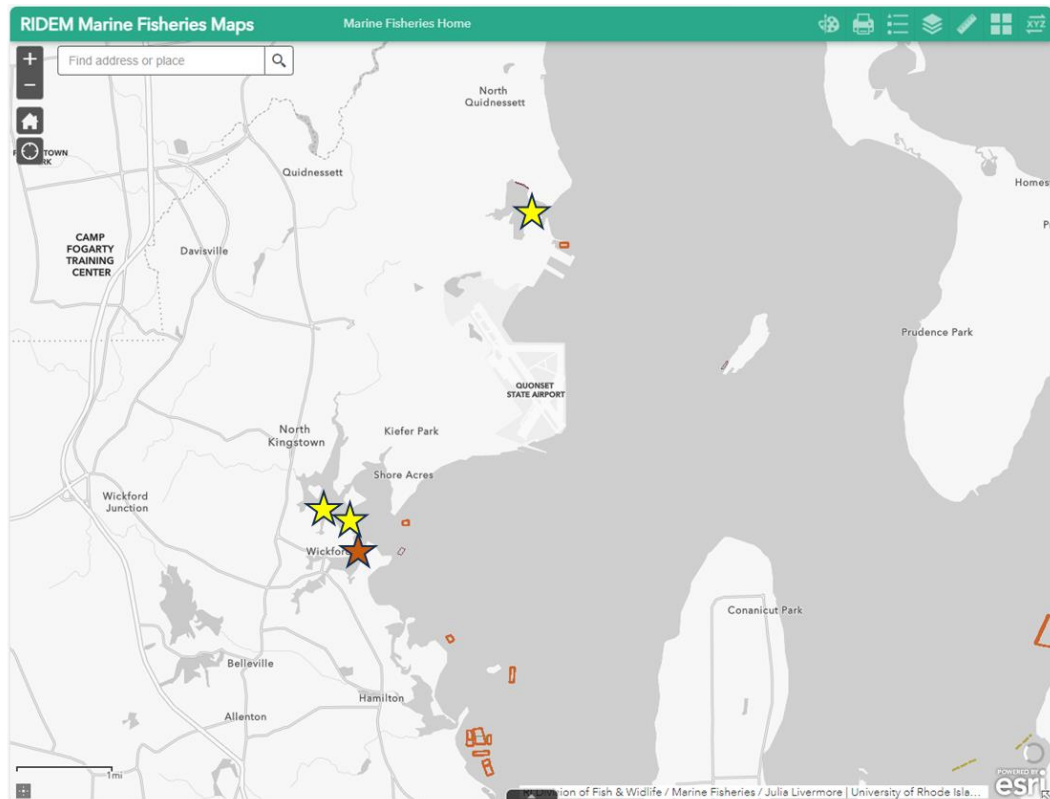
- CRMC ROW's ★
 - Mast St. G-6
 - Hull St. G-7
 - *More ROW's North of Mast/Hull*
- DEM Access Facilities ★
 - Boat Ramp at Fort Getty
- **Distance to closest Aquaculture facility**
 - ~0.25 miles Mast St. (ROW)
 - ~1.1 miles Fort Getty (ramp)



Appendix A – Active Aquaculture & State-Managed Coastal Access Facilities

Wickford/Quonset

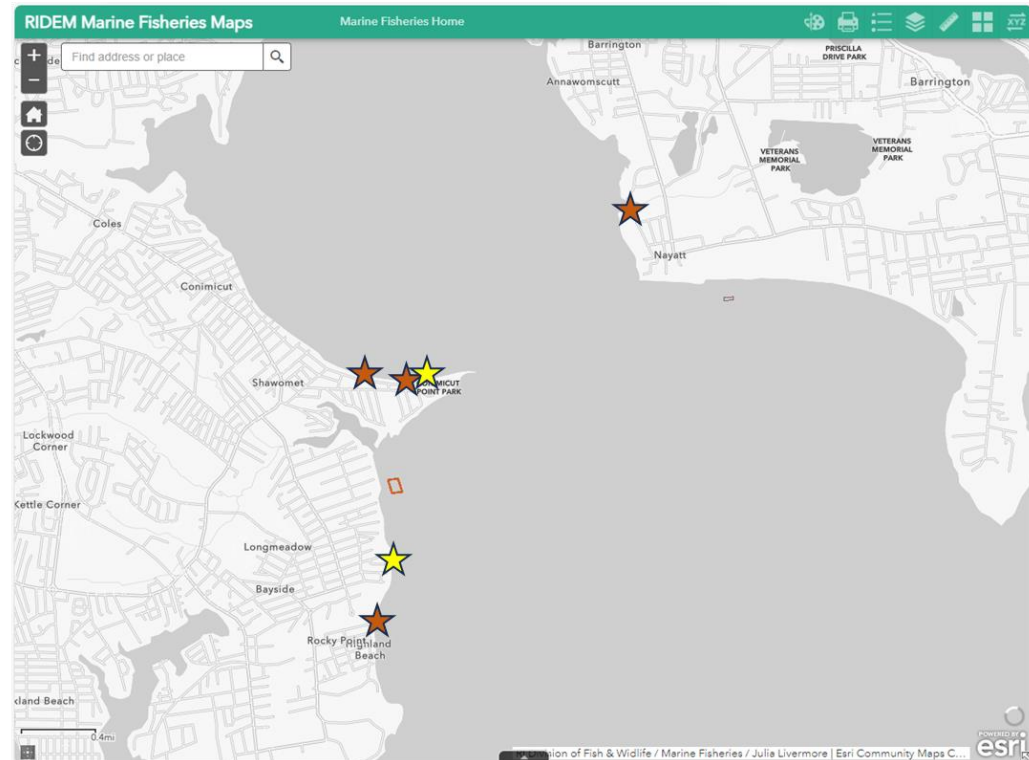
- CRMC ROW's ★
 - Town Wharf F-9
 - Wilson Park F-10
 - Allen Harbor Complex F-8
- DEM Access Facilities ★
 - Pleasant St. Boat Ramp
 - Wilson Park Boat Ramp
 - Allen Harbor Boat Ramp
- Distance to closest Aquaculture facility
 - ~.5 miles Pleasant St. (ramp)
 - ~.75 miles Allen Harbor (ramp)



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Upper Bay

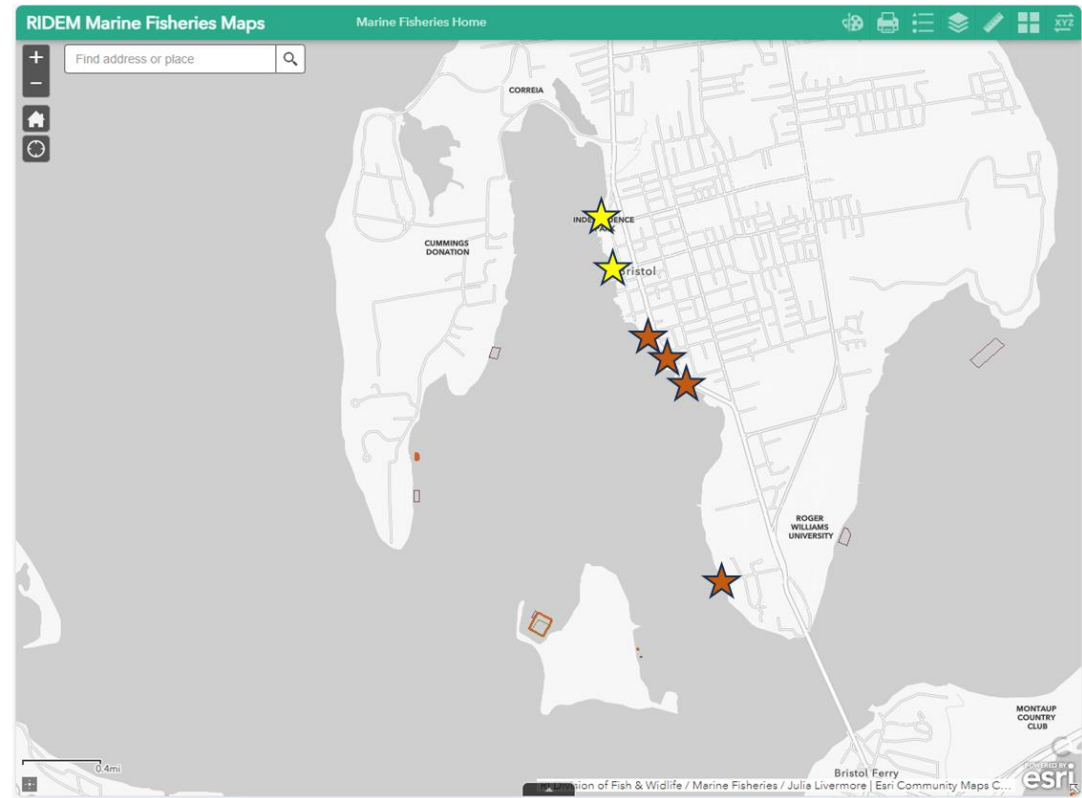
- CRMC ROW's ★
 - Off Shawomet Ave. J-29
 - Shawomet Ave. J-20
 - Priscilla Ave. J-36
 - *More ROW's south of Priscilla*
 - Nayatt/Daunis Rd. P-2
- DEM Access Facilities ★
 - Small craft Access – Conimicut Pt.
 - Small craft Access - Longmeadow
 - Boat Ramp – Allen Harbor
- Distance to closest Aquaculture facility
 - ~.35 miles Longmeadow (ramp)
 - ~1 mile Nayatt/Daunis (ROW)



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Bristol

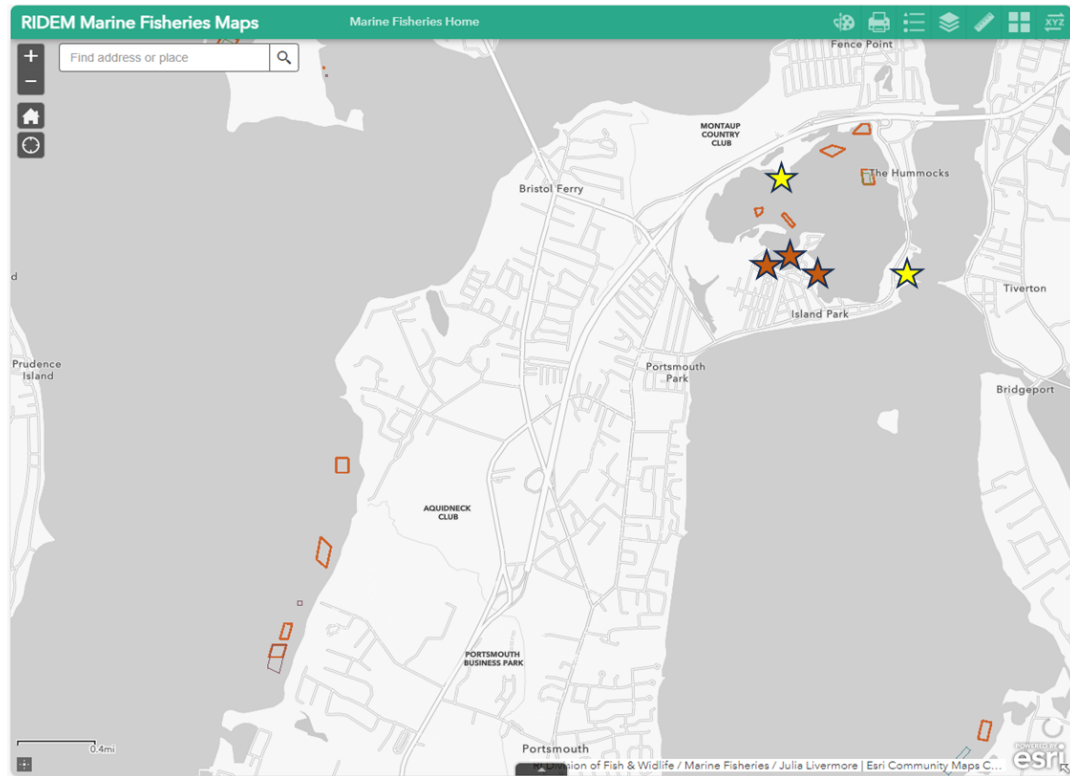
- CRMC ROW's ★
 - Low Lane S-18
 - Walley St. S-6
 - Burton St. S-23
 - Union St. S-5
 - *More ROW's north of Union St.*
- DEM Access Facilities ★
 - Boat Ramp – State St.
 - Boat Ramp – Independence Park
- Distance to closest Aquaculture facility
 - ~1.1 miles Low Lane (ROW)
 - ~1.7 miles State St. (ramp)



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North Portsmouth

- CRMC ROW's ★
 - Point St. V-5
 - Green St. V-6
 - Cedar Ave. V-4
- DEM Access Facilities ★
 - Fishing Access – Gull Cove
 - Boat Ramp – Stone Bridge
- Distance to closest Aquaculture facility
 - ~770 ft Point St. (ROW)
 - ~.7 miles Stone Bridge (ramp)



Appendix A – Active Aquaculture & State-Managed Coastal Access Facilities

South Portsmouth / Tiverton / Sakonnet River

- CRMC ROW's ★
 - Two Rod Way T-6
 - Morningside Lane V-17
 - *More ROW's north of Morningside*
 - Fogland Road T-4
 - Town Way Road W-2
- DEM Access Facilities ★
 - Fishing Access –McCormey Lane
 - Boat Ramp – Fogland Beach
 - Boat Ramp – Weaver Cove
 - Small Craft Launch – Sapowet Marsh WMA
- Distance to closest Aquaculture facility
 - **~.37 miles Two Rod (ROW)**
 - **~1100 ft. Town Way (ROW)**
 - **~1 mile Sapowet Marsh WMA (ramp)**

