



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

received
12/19/14 AEW
(401) 783-3370
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December 18, 2014

Robert Krause
32A Fort Ninigret Road
P O Box 1527
Charlestown, RI 02813

December 18, 2014

RE: Preliminary Determination Meeting, CRMC File No. 2014-10-145
Site Location: Ninigret Pond, Charlestown

Dear Mr. Krause:

Enclosed is the report from the Preliminary Determination Meeting held December 1, 2014 at the Charlestown Town Hall. Please review the recommendations for submitting a full aquaculture application. Please contact me at 783-3370 with any questions.

Sincerely,

David Beutel, Aquaculture Coordinator
Coastal Resources Management Council

DB/kc

cc: Mark Stankiewicz
Rob Lyons
Alicia Eichinger

RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL
REPORT OF FINDINGS -- PRELIMINARY DETERMINATION

STATEMENT OF LIMITATIONS

The contents of this staff determination report shall be valid only for the period on and preceding the date of this report. This report is neither an approval nor denial of the subject proposal. It is an evaluation of CRMC regulations in effect as of December 16, 2014 as they pertain to the below stated proposal, including preliminary staff recommendations.

Modifications to the below stated proposal may, upon the discretion of the CRMC, render this determination null and void.

APPLICANT INFORMATION

NAME: Robert Krause **CRMC FILE NO.** A2014-10-145
LOCATION/POLE: Ninigret Pond
CITY/TOWN: Charlestown **PLAT:** **LOT:**

CONTACT PERSON(S) & ADDRESS:

Robert Krause

32A Fort Ninigret Road
P O Box 1527
Charlestown, RI 02813

PRELIMINARY REVIEW INFORMATION

PROPOSAL: aquaculture farm expansion

PLAN(S) REVIEWED: provided by applicant

INVESTIGATOR Beutel **DATE** December 1, 2014 **TIME** 7:00

MEASUREMENTS & OBSERVATIONS:

PREVIOUS CRMC ACTIONS FOR SITE:

Preliminary Buffer and Setback Requirements:

SETBACK (ref. Section 140 CRMP)

BUFFER (ref. Section 150 CRMP)

Note: Setbacks apply to "construction related activities" including filling, removing, and grading (ref. Section 300.2 CRMP). The coastal program requires a minimum setback of either 50', or the buffer zone width plus 25' (whichever is greater). Work within this minimum setback will require a variance per Section 120 of the CRMP. All variances must be requested in writing. No construction or construction related work shall occur within the required setback (exemptions include structural shoreline protection, outfalls and water dependant uses). Work within the required setback may require a Category "B" review (public notice and decision by the full coastal council) and would likely result in adverse CRMC staff recommendations to the Coastal Council during the review process.

NAME: Krause

CRMC FILE NUMBER: A 2014-10-145

Buffer zones are areas that must be retained in, or allowed to revert to, "an undisturbed natural condition." All structures (excluding accessory structures) should be setback a minimum of 25' from the buffer zone to allow for access, fire protection and maintenance without infringement into the buffer.

If applicable, the plan must show "area of land within 50 feet" in accordance with Rule 5.04 of The Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast (the Rules), and label this area as a "buffer zone" in accordance with Rule 5.14. In addition, no activities (such as: drainage, grading, filling, etc.) may affect the freshwater wetland or the buffer zone. Where such alterations occur, or are proposed, an application shall be submitted in accordance with CRMC's Freshwater Wetland Rules.

Coastal feature verification shall be valid for one-year from the date of this Determination or until an erosion event (e.g., due to storm event, landslide, man-induced alteration, etc.) occurs that alters the coastal feature.

SUMMARY OF FINDINGS

CRMC JURISDICTION: YES

TYPE WATER: 1; Conservation Areas

Applicability of CRMP and SAM Plans (as amended):

CRMP Sections: 100.4, 120, 130, 140, 145, 150, 200.1, 200.2, 200.3, 200.4, 200.5, 200.6, 210.1, 210.2, 210.3, 210.4, 210.5, 210.6, 210.7, 220, 300.1, 300.2, 300.3, 300.4, 300.5, 300.6, 300.7, 300.8, 300.9, 300.10, 300.11, 300.12, 300.13, 300.14, 300.15, 300.16, 300.17, 300.18, 310, 320, 325, 330, 335, 400, other.

STAFF CONCERNS/COMMENTS/INFORMATION REQUIREMENTS:

The preliminary determination meeting for this application was held on December 1, 2014 at the Charlestown Town Hall as part of the Charlestown Coastal Pond Management Commission meeting. The meeting was well attended by many stakeholders. Questions and comments were provided by the local residents and the Salt Ponds Coalition regarding aquaculture in general. The comments of concern regarding this application were about the shape of the proposed area, and the proximity to eelgrass. It was clear that the proposed shape was an attempt to avoid eelgrass. A low density of shellfish was found during the CRMC site assessment conducted on November 13, 2014. Eelgrass was not observed on the proposed expansion. CRMC has worked with the Town of Charlestown to determine a potential lease area that includes most of the currently permitted area as well as an expansion. Recommendations for a full aquaculture application follow:

- Use the attached map for a full application for corner coordinates and bathymetry data.

NAME: **Krause**

CRMC FILE NUMBER: **A 2014-10-145**

- State in the application that there is overlap with the existing assent #2007-01-032 and that if the new area is permitted; the existing assent will be relinquished.
- Make sure a map including the proposed area and its perspective within the entire pond is included
- Be aware that you may receive objections even though there were none raised at the preliminary determination meeting that were specific to your proposal

SIGNATURE: _____



Aquaculture Coordinator



LOCUS MAP
MURRELET POND

Proposed Aquaculture
Site Expansion

North West
-71° 38' 7.68"
41° 21' 35.30"

South East
-71° 38' 4.68"
41° 21' 32.03"

North West
-71° 38' 3.18"
41° 21' 37.82"

South East
-71° 38' 57.33"
41° 21' 35.86"

Rob Krause
Existing Aquaculture
EPMC LEASE #
2007-202008

**Proposed Modification
with Expansion
Total Area = 5 Ac**

Proposed Modification
with Expansion
Total Area = 5 Ac

**PROPOSED
AQUACULTURE SITE
EXPANSION AND
MODIFICATION
ROB KRAUSE**

