

## SALT PONDS COALITION

### POLICY STATEMENT ON AQUACULTURE

November 25, 2014

The Salt Ponds Coalition's (SPC) mission is to protect and enhance the health of Rhode Island's salt ponds for the benefit of wildlife and people. SPC works with stakeholders including Federal, State and Local government, neighborhood groups, business owners, resident associations, universities, environmental groups, and others with interest in the ponds. Our goal is to do what is best to enhance the salt ponds environmentally, while protecting the interests of all groups that utilize and enjoy them. The public's right of access and use of state waters is embodied in the Rhode Island Constitution in the Public Trust Doctrine. Striking a balance between those user groups whose activities partially privatize the ponds has ramifications on all other user groups – for this reason, balance is vital.

Shellfish aquaculture is on the rise in Rhode Island, and SPC supports aquaculture when properly sited and operated, thus respecting other users and remaining environmentally sound. SPC also recognizes that aquaculture farms are one of many local businesses that utilize or rely on the salt ponds. Granting leases which confer private property rights and exclusive use of an area, thus restricting other uses and public access, needs to be done with great care and consideration. Businesses found on the ponds are diverse, and include commercial shellfishing, marinas, charter fishing operations, small boat rentals, hotels, food service and other tourism based businesses. One business type must not be given exclusive rights to well-used parts of the pond to the detriment of other business users. Other uses of the ponds by the public includes boating, kayaking, fishing, clamming, sailing, water-skiing and swimming, and any siting decision of an aquaculture lease needs to avoid an adverse impact on such uses.

Exclusivity and privatizing of public waters can negatively impact restoration efforts meant to enhance public benefit and pond health. Careful planning and management is needed to ensure the continued productivity and diversity of the salt ponds. Stress on the ponds will escalate with increased density of users. Aquaculture has some ecological benefits, but inputting a large amount of biomass into this unique ecosystem could have unknown long term effects as well. SPC will continue to monitor the water quality and overall salt pond health. Protecting and restoring the health and natural beauty of the ponds directly affects the value of the pond resources in terms of recreation, tourism, property values, and resiliency.

The Coastal Resources Management Council has codified in its regulations that aquaculture shall not exceed five percent of the total open water surface area of the coastal ponds below mean low water. While a study for biological carrying capacity has been completed, that study notes that “[m]anaging aquaculture-based surface restrictions is dangerous due to varying levels of oyster biomass production.” (Byron, C. et al. Modeling ecological carrying capacity of shellfish aquaculture in highly flushed temperate lagoons. *Aquaculture* 314 (211) 87-99, p.96.) SPC has consistently stated its position that no more than one percent of the total area of each pond should be leased for exclusive aquaculture use.

Some of the salt ponds have large surface areas but very shallow depth. When this is combined with previously dedicated uses and environmentally closed areas which limit usage of significant parts of the ponds, this increases the impact that the sprawling coverage of “leased” land has in the remaining areas.

When siting aquaculture farms, the social carrying capacity of the ponds must be taken into account. It is a criterion equal to the biological carrying capacity criteria. No comprehensive study of the social carrying capacity of the salt ponds has been completed to date. Techniques for calculating social carrying capability are not as well defined as biological modeling, but it is important to assess how much the aquaculture industry can expand before it unacceptably conflicts with other human uses. SPC believes that historic public use and access issues must have a prominent role when the State considers private leases for exclusive use. Each salt pond requires verifiable specific information rather than just generalized determinations. Local conditions are critical to the success of balancing user groups on the ponds. An appropriate model is comprehensive planning and zoning activities required for land use in our municipalities.

Aquaculture, especially in Point Judith and Ninigret Ponds, has expanded to the point where it is becoming a threat to many historical uses. Key areas of the pond including popular shellfishing spots, high-traffic areas on the shore, and anchorage areas for boaters, as well as open fairways for sailing, windsurfing, water skiing, kayaking, and other water activities are compromised creating potential injury and property damage. These recreational uses are no less valuable to the income and the culture of Rhode Island than the small businesses that operate in the pond. Also, activities that compromise scenic vistas can and do negatively affect the property values of adjacent homes, and will ultimately affect tax revenues.

Overall, maintaining a healthy and safe pond is a paramount concern for any user. For thirty years, SPC has advocated for the wise use, protection and preservation of the ponds based on the best science and technology available. One part of protecting the health of the salt ponds is advocating for responsible use by various user groups; one part of this is addressing the compatibility of human uses on the salt ponds. A value for social carrying capacity needs to be included in considering the designation of exclusive use areas to private individuals or businesses. Historical uses need to be respected and given due consideration. Waterways should be clear for safe boating, sailing, and similar water activities. The public trust must be considered in aquaculture siting decisions, and social carrying capacity be given equal weight in the consideration process to biological carrying capacity.