

CRMC Working Group on Aquaculture Regulations

The CRMC Working Group on Aquaculture Regulations has continued to meet to address the development of a long term plan for aquaculture development. The group first formed in 2000 and met until 2001, when the participants deemed that the issues had been explored adequately. Those meetings did result in changes in CRMC regulations and increased communication between the industries and regulators, and the increased communication between all stakeholders served the process well.

In early 2007 concerns were raised in regard to the increased aquaculture leasing in the salt ponds. The Rhode Island Marine Fisheries Council (MFC) and the Rhode Island Department of Environmental Management (DEM) Division of Fish & Wildlife voiced their concern over increased use of the ponds without a long-term management plan in place. After a series of meetings between the CRMC and the MFC, the Marine Fisheries Council decided to withhold all opinions on aquaculture leases until a plan was in place. CRMC regulations require the agency to solicit opinions on all aquaculture leases from the MFC and the DEM director. In order to rectify the situation, the CRMC reconvened the working group to restore open communication and shifted its original focus from Narragansett Bay to the salt ponds in order to address these issues. The working group began meeting in the spring of 2007 and will continue to meet until all issues are resolved. The group, with a total of 28 members, is comprised of representatives from:

- Aquaculture industry
- Commercial and recreational fishing industry
- Save The Bay; Salt Pond Coalition; Sierra Club
- Rhode Island Farm Bureau
- University of Rhode Island , Roger Williams University, Brown University
- United States Department of Agriculture
- State legislators
- Rhode Island Department of Environmental Management; Department of Health; Coastal Resources Management Council

The working group met frequently through 2007 and 2008 and as needed through 2009. A number of significant goals have been achieved by the group, including completion of the report for the Biology Subgroup. The group, chaired by Dr. David Bengtson, issued a draft report in the fall of 2007. The working group had three months to review and make suggestions before the report was unanimously accepted by the full working group in January 2008. The full report can be accessed on the CRMC web site at: <http://www.crmc.ri.gov/projects/aquaculture.html>. The report also includes an extensive list of peer reviewed scientific articles on the impacts of aquaculture and the environment, presentations and reports.

The biology report suggested a number of scientifically defensible changes, including:

- Limit shellfish aquaculture to 5 percent of any water body;

- Seek funding for research into interactions;
- Establish interagency board to make disease recommendations;
- Fund disease monitoring in wild and cultured populations;
- Continued participation in Aquatic Nuisance Species Working Group;
- Continue to protect natural resources in leasing process; and
- Encourage Best Management Practices for aquaculture industry

Based upon the recommendations from the Aquaculture Working Group Report, the CRMC adopted three significant changes to Section 300.11 Aquaculture of the Rhode Island Coastal Management Program. These three changes are:

E. Prohibitions

- 5. The harvest of wild shellfish naturally occurring in a CRMC permitted lease shall be prohibited. All wild shellfish within a lease area will remain the property of the State of Rhode Island and remain in place for the benefit of the public resource. This resource is not to be harvested by any person for commercial or recreational purposes. Any incidental catch by the lease holder within an aquaculture lease shall be returned immediately to the same waters.*
- 6. In the coastal salt ponds the area occupied by aquaculture shall not exceed five percent (5%) of the total open water surface area of the coastal pond below MLW.*

F. Standards

1. Marine Aquaculture within Tidal Waters

- m. Recreational Permits. The Executive Director may grant permits for recreational culture of shellfish by littoral land owners as follows:*
 - (1) Recreational permits shall be limited to one culture enclosure limited to a volume of 48 cubic feet; and*
 - (2) This cage shall be hung from an existing CRMC approved dock in a manner that it will not interfere with traditional navigation; and*
 - (3) Recreational permit holders will follow all existing seed importation regulations; and*
 - (4) Recreational permit holders will be required to complete a CRMC approved educational program.*
 - (5) Recreational permits will be exempt from prohibition #6.*
 - (6) All gear used under an education permit will be legibly marked with the letters "CRMC" and the CRMC permit number.*
 - (7) Recreational permits will be only in areas of approved waters as defined by the National Shellfish Sanitation Program.*

n. The maximum area occupied by aquaculture leases in the coastal salt ponds is five percent (5%) of the total open water surface area of the salt pond below MLW. This limit is established upon the current knowledge of ecological carrying capacity models. See: Salt Pond SAMP Section 100.B.1 and Figure 1-1 for salt pond areas.