



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Kerian Fennelly
Newport Mussel Farm

Published: February 10, 2026
Expires: March 12, 2026

**New England District
Permit Application No. NAE-2025-01715**

TO WHOM IT MAY CONCERN: The New England District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Kerian Fennelly
Newport Mussel Farm
117 Cross Road
Westport, MA 02790

AGENT: Christopher Schillaci
441 Hill Street
Coventry, RI 02816

WATERWAY AND LOCATION: The project area is roughly 20 nautical miles southeast of Newport, RI, 13 nautical miles south of Westport, MA, and 9 nautical miles west-southwest of Martha's Vineyard.

The corner coordinates for the gear footprint area include the following:

Lat: 41° 16' 59.0" N	Long: 71° 05' 39.2" W
Lat: 41° 15' 37.0" N	Long: 71° 04' 58.9" W
Lat: 41° 18' 03.2" N	Long: 71° 01' 49.5" W
Lat: 41° 16' 41.2" N	Long: 71° 01' 09.2" W

EXISTING CONDITIONS: Water depths within the project area vary from 35 to 42 meters (m). The seafloor in the area is composed of soft mud or fine sands and lacks complex habitat and seafloor features. Due to the water depths at the project site, no submerged aquatic vegetation is present.

PROJECT PURPOSE: Construct a commercial scale longline blue mussel (*Mytilus edulis*) shellfish mariculture facility in federal waters within 20 nautical miles (nm) of Newport Harbor.

PROPOSED WORK: The applicant is requesting a DA permit to install and maintain gear associated with a new commercial scale blue mussel shellfish mariculture facility.

The proposed project would encompass a total area of 3,806 acres. A total of 240 horizontal longlines would be deployed in 3 units, each consisting of 80 parallel horizontal longlines spaced 100 m apart. The three units would be arranged in ten columns and eight rows, with 200 m wide gear-free corridors separating the three units. The entire project area would be marked by twelve signal buoys with radar reflectors and automatic identification system (AIS) beacons. Surface safety lighting will be installed per U.S. Coast Guard (USCG) requirements and are not expected to be visible from land.

Each 240 m long horizontal longline would be deployed at a depth of 9 m below the surface. A vertical line with a marker buoy will be deployed approximately 100 m from each end of the horizontal longline. The applicant estimates that there would be approximately 480 square feet of total direct seafloor impacts from the installation of the helical anchors. Permanent flotation for each horizontal longline would include a pair of 220-liter (L) Waka surface floats deployed from each corner and a single 80-L subsurface float deployed from the midpoint of each mooring line. Over the course of each grow-out cycle, additional 220-L Waka surface and subsurface floats would be added to the horizontal longlines to compensate for increases in mussel biomass. At a design mussel biomass of 12 kilograms (kg) per meter of horizontal longline, up to 43-220 L Waka floats, and up to 15 subsurface - 220 L Waka floats, deployed 4 m above the horizontal longline, will be required to maintain the position of each horizontal longline at 9 m below the surface. Waka surface floats would be tethered to the mainline by 9-m-long polypropylene-polyethylene (Duradan PPE) ropes with a diameter of 24 millimeter (mm), subsurface Waka floats will be tethered to the backbone using 4-m-long polypropylene-polyethylene (Duradan PPE) ropes with a diameter of 24 mm, and mooring midline subsurface floats would be tethered to the anchor lines by 2-m-long Duradan PPE 24 mm wide ropes.

During the spat collection phase, the horizontal longlines would support vertical weighted hanging spat catching ropes deployed in continuous loop configurations and attached to the horizontal longlines at a spacing of 1.8 m. Spat catching ropes would consist of polypropylene Christmas tree spat catching ropes with a 14 mm wide weighted inner core and an outer filamentous layer of 55 - 65-mm-long fibers. During the grow-out phase, the 240-m horizontal backbones would support up to 10-m-long continuous loop vertical mussel cultivation lines spaced 1.8 m apart.

The project location and proposed gear configurations are shown on the plans titled "NAE-2025- 01715 Newport Mussel Farm Project" on three sheets and dated "02/06/2026."

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: No impacts are proposed to wetlands, eelgrass, or any other special aquatic sites. The proposed impacts to the seabed are minor, consisting of approximately 480 square feet of direct impacts from the installation of the helical

anchors. Placement of anchors will be performed by divers so that the anchors can be micro sited to avoid sensitive habitat features such as natural rocky habitat.

COMPENSATORY MITIGATION: The applicant does not propose compensatory mitigation.

CULTURAL RESOURCES: The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA) utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps' program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively. The District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

No historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) are present within the Corps' permit area; therefore, there will be no historic properties affected. The Corps subsequently requests concurrence from the SHPO and/or THPO.

ENDANGERED SPECIES: The Corps has performed an initial review of the application using the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website, the National Marine Fisheries Service (NMFS) GARFO Section 7 Mapper, and the NMFS Critical Habitat Mapper to determine if any threatened, endangered, proposed, or candidate species, as well as any proposed or final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species listed in Table 1 below. Pursuant to Section 7 of the Endangered Species Act, any required consultation with USFWS and/or NMFS will be conducted in accordance with 50 CFR part 402.

Table 1: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
North Atlantic right whale	<i>Eubalaena glacialis</i>	Endangered
Fin whale	<i>Balaenoptera physalus</i>	Endangered
Leatherback sea turtle	<i>Dermochelys coriacea</i>	Endangered
Loggerhead sea turtle	<i>Caretta caretta</i>	Threatened
Green sea turtle	<i>Chelonia mydas</i>	Threatened
Kemps ridley sea turtle	<i>Lepidochelys kempii</i>	Endangered
Atlantic sturgeon	<i>Acipenser oxyrinchus</i>	Threatened
Shortnose sturgeon	<i>Acipenser brevirostrum</i>	Endangered
Roseate tern	<i>Sterna dougallii</i>	Endangered

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

The Corps intends to initiate Essential Fish Habitat (EFH) consultation separately from this public notice. A separate EFH consultation package will be sent to NMFS. The Corps will not make a permit decision until the consultation process is complete. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with NMFS.

NAVIGATION: The proposed structures or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulations governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has been verified by Corps personnel.

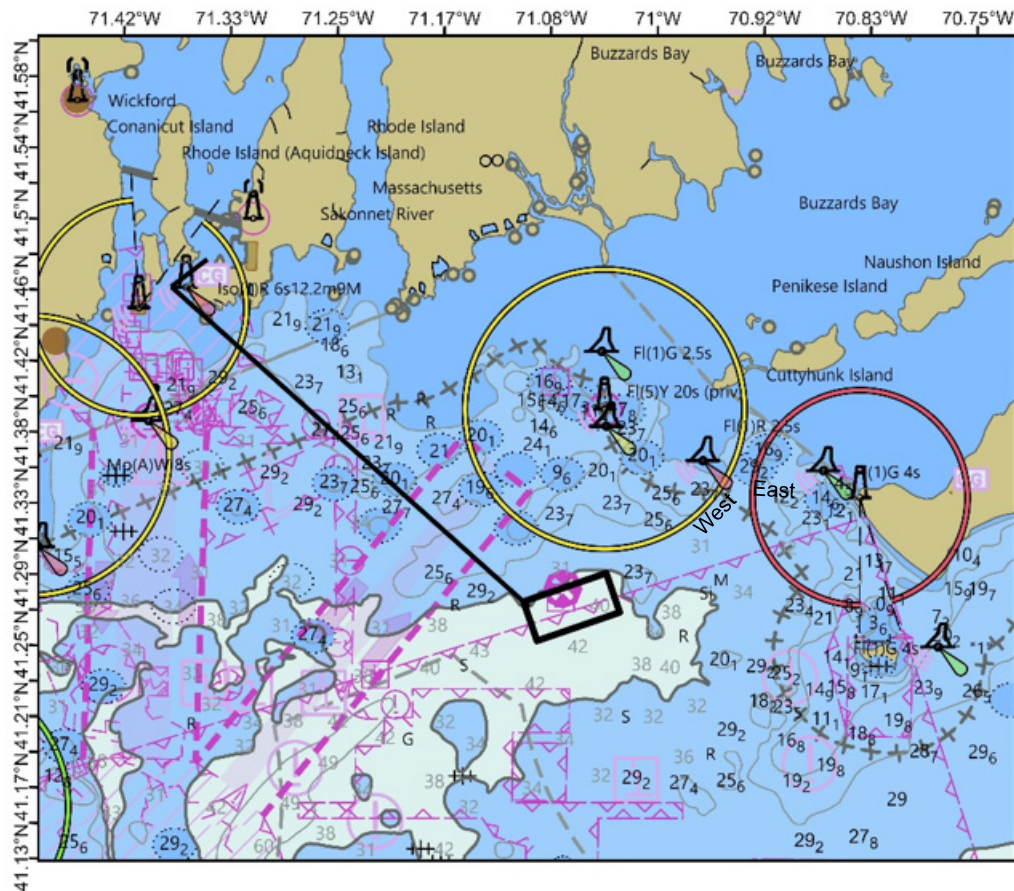
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are

also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The New England District will receive written comments on the proposed work, as outlined above, until March 11, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to cenae-r-ma@usace.army.mil. Alternatively, comments may be submitted in writing to the Commander, U.S. Army Corps of Engineers, New England District, Attention: cenae-r-ma@usace.army.mil. Please refer to the file number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.



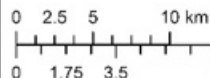
Newport Mussel Farms Site Overview

- NMF Site
- Transit Route

Area in US acres (3,802.94)

Scale: 1:320,352

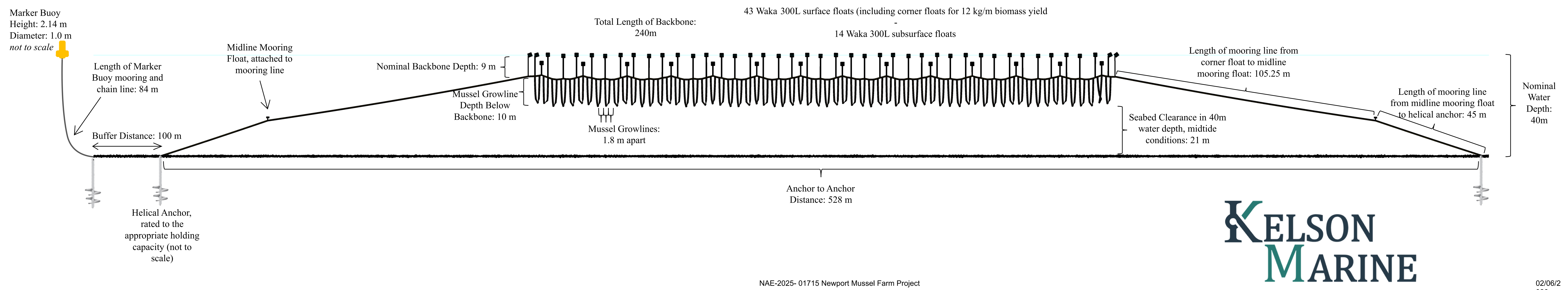
Reference System: NAD 1983 UTM Zone 19N



Service Layer Credits: ENConline;
World Ocean Base: Esri, GEBCO, Garmin, NaturalVue

Marine Spatial Ecology Division
National Centers for Coastal Ocean Science
National Ocean Service





Newport Mussels Longline Layout
Total Farm Area: 3806.29 [acres]; Total Number of Longlines: 240; Longline per Acre Density: 0.063
Permit Width and Length: 5705.0 x 2700.0 [m] (18717.2 x 8858.3 [ft])
Permit Border Buffer: 100 [m]
Permit Area Outlined in Red

NAE-2025- 01715 Newport Mussel Farm Project

02/06/2026

