

**NOAA  
FISHERIES**

# Marine Aquaculture and Fishery Management Councils



**Council Member Training  
November 3, 2016 – Silver Spring, MD**

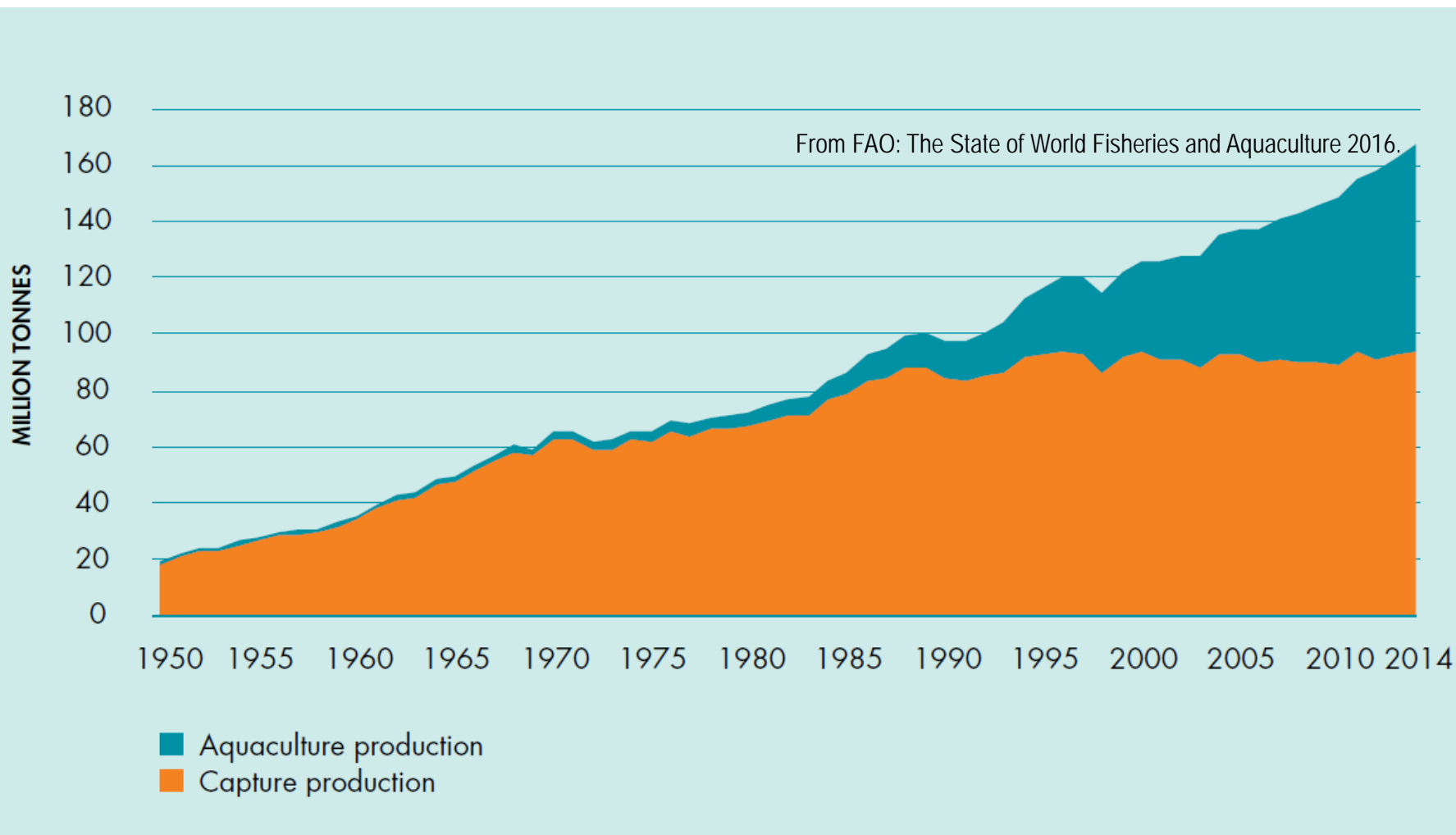
David O'Brien  
Deputy Director  
Office of Aquaculture

# Presentation Overview

- The importance of aquaculture to U.S. seafood and fishing communities
- NOAA's role
- Role of Fishery Management Councils
  - Fishery Management Plans
    - Gulf of Mexico Aquaculture FMP
    - Western Pacific Council Amendments
  - Exempted Fishing Permits

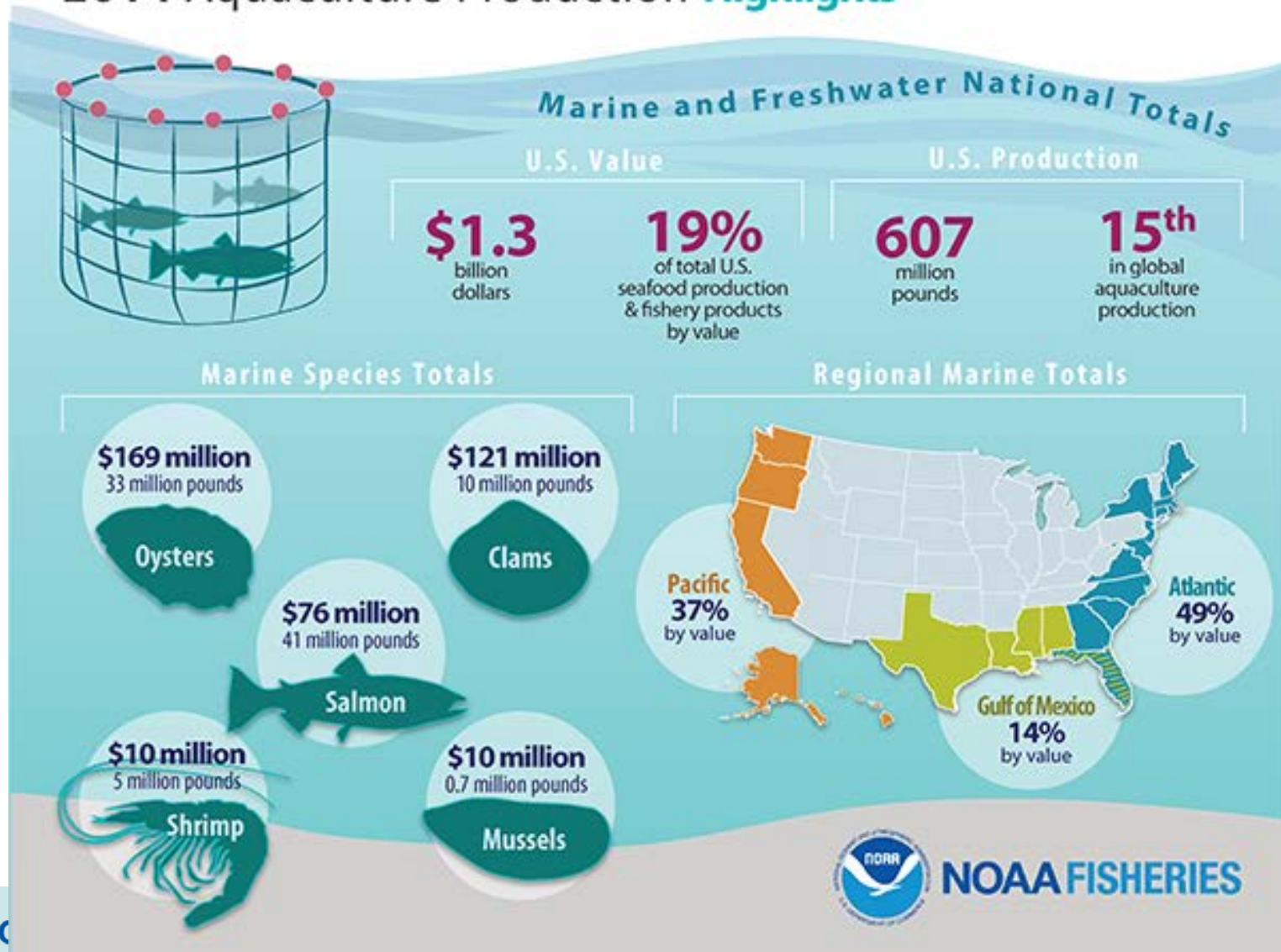


# Aquaculture is critical to future seafood supply



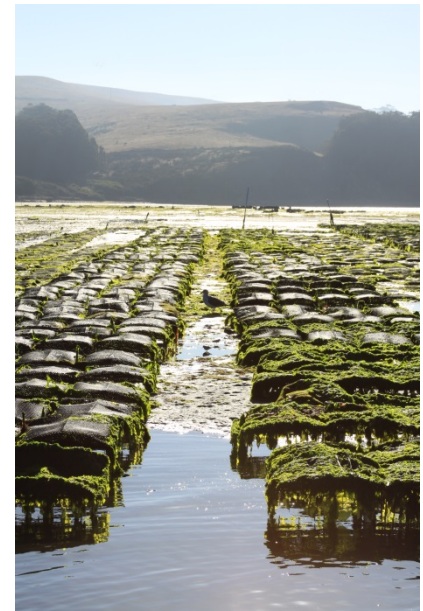
# Aquaculture in the U.S.

## 2014 Aquaculture Production Highlights





# Examples: Shellfish Aquaculture





# Offshore Aquaculture:



# Barriers to Aquaculture

- Time-consuming, expensive & redundant permitting processes
- Multiple agencies, competing mandates
- Environmental concerns
- 'Social license'
- Offshore aquaculture – incomplete framework



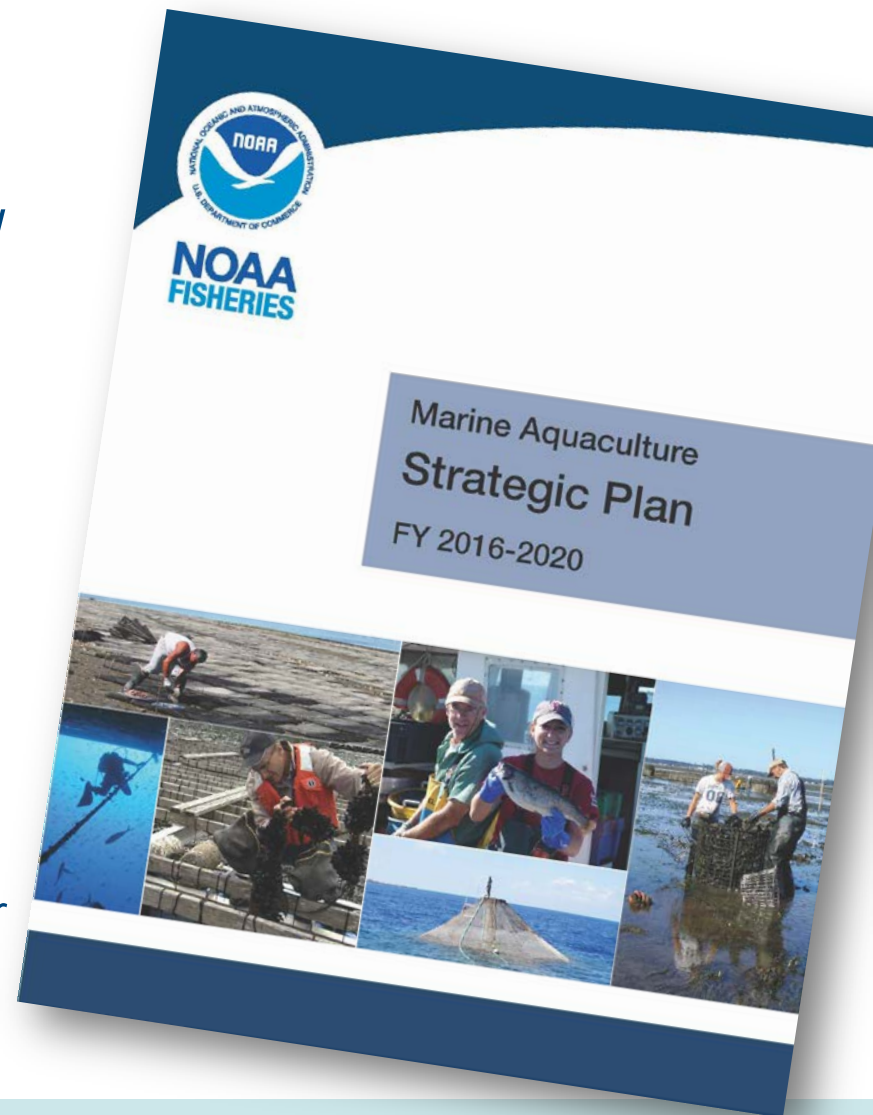
# NOAA's Aquaculture Program

**Vision:** A robust U.S. marine aquaculture sector that creates jobs, provides sustainable seafood and supports healthy oceans

**Mission:** To provide science, services, and policies to support significant growth of responsible U.S. marine aquaculture

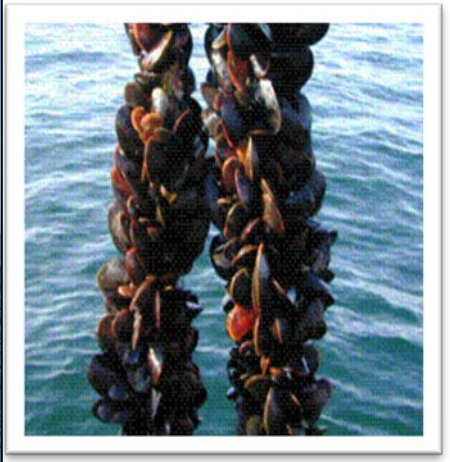
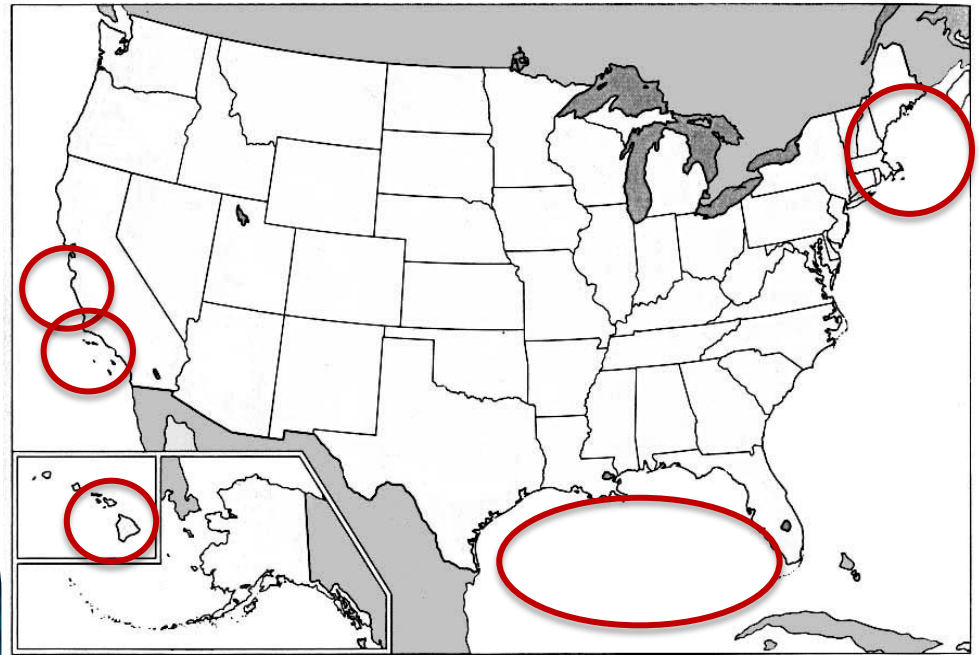
## Goals:

- Regulatory Efficiency
- Tools for Management
- Technology Development and Transfer
- Informed Public





# Aquaculture in Federal Waters



# Role of Councils

- Options councils have pursued under Magnuson Act:
  - Develop new, aquaculture-specific fishery management plans (FMPs)
  - Amend existing FMPs to include aquaculture
  - Ad hoc review of applications for NMFS Exempted Fishing Permits or other type of exemption from fishery management plan
  - Councils may also comment on permits issued by other federal agencies (e.g., Corps permit for mussel farm in New England, which does not require a permit from NMFS)

# Magnuson Authority to Regulate Aquaculture in Federal Waters

The term "fishing" means—

- (A) the catching, taking, or harvesting of fish;
- (B) the attempted catching, taking, or harvesting of fish;
- (C) any other activity which can reasonably be expected to result in the catching, taking, or harvesting of fish; or
- (D) any operations at sea in support of, or in preparation for, any activity described in subparagraphs (A) through (C).

Such term does not include any scientific research activity which is conducted by a scientific research vessel.

NOTE: Authority with respect to aquaculture challenged in court but upheld to date.



# Gulf of Mexico Aquaculture FMP

- Gulf Council published FMP in 2009
- NMFS published final rule January 2016 (currently under legal review)
- NMFS working with other federal agencies on a coordinated permitting process for the region

## Benefits

- Enable offshore aquaculture in Gulf
- Provide a model framework for other regions
- Potential to create jobs and revenue for Gulf communities and boost U.S. seafood production



# The Gulf Aquaculture FMP and implementing regulations will:

1. Establish an aquaculture permitting process.
2. Establish operational conditions and restrictions.
3. Establish permit duration of 10 years and 5-year renewal periods.
4. Allow the culture of native, non-genetically modified species managed by the Council (except shrimp and corals).
5. Provide guidelines for approval of grow-out systems allowed for culture.
6. Establish criteria for siting marine aquaculture facilities.
7. Create a restricted access zone for each aquaculture facility.
8. Establish numerous recordkeeping, reporting and operational requirements to minimize or mitigate potential environmental impacts.
9. Establish biological reference points and status determination criteria.
10. Specify framework procedures for modifying biological reference points and management measures.

*For details, see <http://www.nmfs.noaa.gov/aquaculture>*



# Emerging Interest in Other Councils

## Western Pacific Council

- Coral Reef Ecosystem Fishing Permits for experimental “Veleva Project” in federal waters off Hawaii
- The Council has recommended amending five fishery ecosystem plans to establish a management program for aquaculture. In summer 2016 NMFS initiated a NEPA analysis to analyze the potential environmental impacts of these actions.



## Northeast & Mid-Atlantic Councils

- Growing industry interest in offshore aquaculture
- Discussions in very early stages, but Council action possible



## Take-Away Points

- Councils have important and growing role to play in aquaculture under MSA
- The FMP approach has benefits over ad hoc review:
  - Allows for longer permit duration needed for commercial-scale aquaculture operation to be successful
  - Allows for a more comprehensive, programmatic approach in identifying and addressing region-specific issues
  - Provides more opportunities for coordination with other federal permitting agencies
- NOAA's Aquaculture Policy (2011) provides guidance for Councils interested in developing FMPs for aquaculture.

# For more information

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  - Diane Windham (CA)
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- Southeast/Caribbean – Jess Beck
- Pacific Islands – David Nichols

Office of Aquaculture Web site

[www.nmfs.noaa.gov/aquaculture](http://www.nmfs.noaa.gov/aquaculture)

# THANK YOU!