

Scoping Summary Report

Programmatic Environmental Impact Statement of the Proposed Aquaculture Management Program in Federal Waters of the Pacific Islands Region

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Prepared For:
Pacific Islands Regional Office
National Marine Fisheries Service



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ABBREVIATIONS AND ACRONYMS

APA	Administrative Procedure Act
CFR	Code of Federal Regulations
Corps	U.S. Army Corps of Engineers
Council	Western Pacific Fishery Management Council
EEZ	Exclusive Economic Zone
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEP	Fishery Ecosystem Plan
FMC	Fishery Management Council
FR	<i>Federal Register</i>
GOM	Gulf of Mexico
MBTA	Migratory Bird Treaty Act
MMPA	Marine Mammal Protection Act
MPA	Marine Protected Area
Magnuson-Stevens Act	Magnuson-Stevens Fishery Conservation and Management Act
MSY	Maximum Sustainable Yield
MUS	Management Unit Species
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NOI	Notice of Intent
NOAA	National Oceanic and Atmospheric Administration
OY	Optimum Yield
PEIS	Programmatic Environmental Impact Statement
PIR	Pacific Islands Region
PIRO	Pacific Islands Regional Office
PRIA	Pacific Remote Island Areas

PSA	Public Service Announcement
ROD	Record of Decision
SFD	Sustainable Fisheries Division
U.S.	United States
USC	U.S. Code

1.0 INTRODUCTION

The National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) is responsible for implementing fisheries management programs recommended by the Fishery Management Councils (FMCs) under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). At the 146th Western Pacific FMC (Council) meeting in October 2009, the Council recommended the development of an omnibus amendment to each of the five Pacific Islands Region (PIR) Fishery Ecosystem Plans (FEPs) to address aquaculture management in the Pacific Islands Region. Additional recommendations detailing some of the proposed management measures were developed at the 147th, 148th, and 151st Council meetings. As a result of the recommendations and based on recent experience with applications for fish culture projects in Hawaii, NMFS PIR determined there is a need to develop an aquaculture management program in Federal waters of the Pacific Islands and has decided to prepare a programmatic environmental impact statement (PEIS). The PEIS will analyze potential environmental, social, and economic impacts associated with the proposed aquaculture management program. This program would support offshore aquaculture development by identifying appropriate management unit species (MUS) for aquaculture, reasonably foreseeable types of offshore aquaculture operations, and permitting and reporting requirements for conducting aquaculture activities in Federal waters.

On August 23, 2016, the NMFS Pacific Islands Regional Office (PIRO) published a Notice of Intent (NOI) to prepare a PEIS. This PEIS will analyze the potential environmental impacts of a proposed PIR aquaculture management program and alternatives in accordance with the National Environmental Policy Act (NEPA) of 1969 (40 Code of Federal Regulations [CFR] Parts 1500 - 1508) and agency requirements for NEPA compliance at NOAA Administrative Order (NAO) 216-6A, January 22, 2017. Section 3.0 of this report details the NEPA process. Scoping (required under 40 CFR 1501.7) provides an opportunity for the public and agencies to express their views, help identify a set of alternatives, and determine the scope of environmental issues for consideration in the PEIS.

This document represents a public record and summary of the PEIS scoping activities undertaken between August 23 and October 31, 2016. NMFS reviewed and summarized substantive comments received during the scoping period in the following sections of this report. This report does not provide responses to individual comments at this stage in the development of the Draft PEIS. NMFS will consider scoping comments as it prepares the Draft PEIS.

The next opportunity for the public to comment on the PEIS will be after issuance of the Draft PEIS. NMFS will respond to comments on the Draft PEIS in

a comment analysis report, which NMFS will publish on the Project website (provided in Section 1.4). For additional information on future steps in the PEIS process, please see Section 3.0.

1.1 PROJECT PURPOSE AND NEED

The Council recommended that NMFS establish an aquaculture permit for the Pacific Islands Region. NMFS currently has no comprehensive program for management of all types of aquaculture in Federal waters of the Pacific Islands Region (that is, in the U.S. Exclusive Economic Zone (EEZ) around American Samoa, Guam, Hawaii, the Pacific Remote Islands, and the Northern Mariana Islands). The harvest of cultured aquatic species in Federal waters of the region is either unregulated or undertaken under permitting programs related to specific species and gear types. NMFS is proposing to develop an aquaculture management program to control where, how, and how much aquaculture may occur, and provide clear guidance to the industry. The purpose of the action is to establish a regional management program to ensure environmentally sound and economically viable aquaculture.

1.2 PROPOSED ACTION

The proposed Federal action is to establish a marine aquaculture management program in Federal waters of the Pacific Islands Region. Features of this management program may include:

- Permitting requirements, eligibility, duration and transferability;
- Application requirements and review process;
- Operational requirements and restrictions;
- Allowable marine aquaculture systems;
- Species types and quantities allowed for aquaculture;
- Marine aquaculture siting requirements and restrictions;
- Program capacity limits;
- Restricted access zones for facilities;
- Framework procedures for evaluating and modifying aquaculture management measures; and
- Recordkeeping and reporting requirements.

The features of the proposed aquaculture management program would help to ensure that the aquaculture program is consistent with the Council's policy to encourage environmentally responsible marine aquaculture. These features help ensure that all offshore aquaculture activities permitted in the PIR are consistent with the Magnuson-Stevens Act, the National Standards, and other applicable laws, and do not compromise Council objectives for wild fisheries.

1.3 DESCRIPTION OF THE PROJECT AREA

The Project Area for this PEIS encompasses Federal waters of the PIR. Federal waters range from the seaward extent of State and territorial waters, generally 3

nautical miles (nm) to 200 nm offshore, out to the boundary of the EEZ, generally 200 nm from shore. Federal waters of the PIR include the EEZ around American Samoa, the Marianas Archipelago, the Hawaiian Archipelago, and the Pacific Remote Island Areas (PRIA), including Howland, Baker, Jarvis and Wake Islands, Johnston and Palmyra Atolls, and Kingman Reef. The Project Area for this Plan corresponds to the EEZ around American Samoa, Hawaii Archipelago, Marianas Archipelago, and the Pacific Remote Islands Area, and does not include the high seas discussed in the Pacific Pelagic FEP under international fisheries management.

1.4

DESCRIPTION OF THE SCOPING PROCESS

Scoping is an early and open process designed to determine the scope of issues addressed in depth in the analysis included in the PEIS. Scoping activities for this PEIS began when NMFS published NOIs and scoping notices in the *Federal Register* (81 FR 57567, August 23, 2016, and 81 FR 67312, September 30, 2016). The scoping period spanned seventy (70) days, ending on October 31, 2016. NMFS held public scoping meetings in Pago Pago, American Samoa; Tamuning, Guam; Saipan, CNMI; and Hilo, Kailua-Kona, Honolulu, Hawaii. Appendix A provides copies of these NOIs.

The purpose of scoping is to:

- Define the alternatives that will be analyzed;
- Identify the concerns of the other entities, including other Line or Staff Offices; Federal, State, and local agencies; Tribal governments; nongovernmental organizations; and individuals; and invite participation from affected entities;
- Identify the likely geographic area of potential environmental effects;
- Identify the environmental issues that are pertinent to the proposed action;
- Identify and eliminate those environmental issues that are irrelevant to the proposed action; and
- Determine if the proposed action will trigger the compliance requirements of other environmental statutes, regulations, or Executive Orders.

The scoping meeting provided information to stakeholders about the process in which they take part. This report is an overview of substantive comments that NMFS received during the comment period (August 23 through October 31, 2016). NMFS posted this Report on the Project website (http://www.fpir.noaa.gov/SFD/SFD_aq.html). NMFS sent email notification of this posting to those who expressed interest in the project and provided appropriate contact information.

NMFS distributed project information to the public using the following tools:

- Project website
 - http://www.fpir.noaa.gov/SFD/SFD_aq.html
- Publication of public scoping meeting notices

- *Federal Register* Notices: 81 FR 57567 and 81 FR 67312 (Appendix A)
- Social media (Appendix A)
- Informal notification through the Council network
- Six public scoping meetings
- Agency consultation and coordination

1.5

PUBLIC SCOPING MEETINGS

NMFS held public scoping meetings in six locations throughout the Project Area. Table 1-2 shows the dates and locations of the public scoping meetings.

Table 1-2. Dates and Locations of the Public Scoping Meetings

Location	Date
NOAA Fisheries Conference Room Pago Pago, American Samoa	Thursday September 8, 2016
University of Hawaii at Hilo Hilo, Hawaii	Tuesday September 13, 2016
West Hawaii Civic Center Kona, Hawaii	Wednesday September 14, 2016
NOAA Fisheries Honolulu Service Center Pier 38, Honolulu, Oahu	Thursday October 13, 2016
Northern Marianas College Susupe, Saipan, Commonwealth of the Northern Mariana Islands	Tuesday October 18, 2016
Hilton Guam Resort and Spa Tamuning, Guam	Thursday October 20, 2016

The scoping meetings occurred from 6 - 9 p.m. NMFS displayed posters throughout the room that communicated preliminary Project information. During the open house, the public could circulate in and out of the meeting place, interact with NMFS and ask questions.

NMFS staff provided a background of offshore aquaculture activity globally and regionally, the state of management of this emerging fishery, as well as NMFS and the Council goals and objectives. NMFS staff provided a list of management actions expected for the set of alternatives, as well some of the potential environmental and socio-economic issues to address in the PEIS. NMFS staff emphasized a request for public input on region-specific issues and concerns, as NMFS structured the proposed action to provide appropriate region-specific management measures. NMFS provided a project description and comment form

as handouts to all meeting attendees. These meetings did not provide for a formal verbal comment period; rather, NMFS encouraged attendees to submit written comments at the meeting as well as through the electronic comment system www.regulations.gov, as described in the NOI.

1.6 *AGENCY CONSULTATION AND COORDINATION*

By letters dated August 29, 2016, NMFS invited Federal agencies with special expertise and potential regulatory responsibility and jurisdiction within the Project Area to participate in development of the PIR Aquaculture PEIS as cooperating agencies. Benefits of cooperating agency participation in the preparation of NEPA analyses include:

- Disclosing relevant information early in the analytical process;
- Applying available technical expertise and staff support;
- Avoiding duplication with other Federal, State, Tribal and local procedures; and
- Establishing a mechanism for addressing intergovernmental issues.

Other benefits of enhanced cooperating agency participation include fostering intra- and intergovernmental trust (e.g., partnerships at the community level) and a common understanding and appreciation for various governmental roles in the NEPA process, as well as enhancing agencies' ability to adopt environmental documents. Agencies invited to cooperate in the PEIS process include the U.S. Environmental Protection Agency (EPA), U.S. Army Corps of Engineers (Corps), U.S. Coast Guard, and U.S. Fish and Wildlife Service. To date, the EPA has agreed to be a cooperating agency for the PEIS.

2.0 *COMMENT ISSUE SUMMARY*

We used a multi-stage process to analyze public scoping comments that included coding, sorting, and summarizing public comment submissions into categories based on common themes. The goal of this process was to ensure that NMFS reviewed and synthesized each substantive comment that was pertinent to the proposed action. Substantive comments constitute assertions, suggested alternatives or actions, data, background information, or clarifications relating to development of the Draft PEIS document. NMFS then assigned each substantive comment to an issue category listed in Section 2.2.

NMFS synthesized comments into succinct comment summary statements that are intended to capture the particular concern within each issue category. Comment summary statements capture the range of concerns received on a specific issue. NMFS received 28,251 submissions that included 28,209 copies of a form letter submitted by a non-governmental organization. NMFS received 38 distinct comment letters through the public scoping process. The public may

review the individual comments received at <https://www.regulations.gov/docket?D=NOAA-NMFS-2016-0111>.

2.1 *SOURCE OF SCOPING COMMENTS*

Scoping comments submitted during preparation of the PEIS came from the following sources:

- Electronic submission via the Federal e-Rulemaking Portal (www.regulations.gov);
- Comments mailed directly to NMFS Pacific Islands Regional Administrator; and
- Written comments submitted at a scoping meeting held by NMFS.

2.2 *ISSUES IDENTIFIED DURING SCOPING*

NMFS received comments supporting and opposing an aquaculture management program in the Pacific Islands Region. In general, seven summarized comments specifically opposed the action (development of an aquaculture management plan) and the ocean aquaculture businesses operating in the Pacific. Rationale, when provided, included concerns for native species of fish, the history of environmental harm from some salmon aquaculture operations in cold-water marine environments, and other options to raise fish, including recirculating farms and open system aquaculture, that some commenters perceive to be less environmentally risky. Other commenters echoed these issues, and we captured these in the topics below.

Seven comments specifically supported the action, with some commenters noting that aquaculture can meet the supply gap in fish consumption demand, will reduce impacts of wild harvest, and proper management can ensure that it is compatible with recreational fishing, military activities, and other ocean uses. Two commenters noted that NMFS should lead the way in supporting offshore aquaculture, and the PEIS is a way to analyze aquaculture methods and management.

We identified the specific issues and concerns from each submission and summarized these in the following sections by major topic area. NOTE: These comments represent the views and opinions only of the respondents.

2.2.1 *Native Cultures Topics*

- Aquaculture activities should allow access to indigenous fishing grounds and religious/cultural areas and ensure that the industry does not disrupt native Hawaiian traditional and customary practices.
- The PEIS must assess impact(s) to culturally significant animals and culturally significant activities.

- Aquaculture activities should allow for and encourage indigenous participation in the planning and development and/or permitting processes.
- Arguments against the right of the U.S. Government to create regulations due to the illegal overthrow of the Hawaii monarchy.
- Profits from commercial aquaculture should support descendants of the Hawaiian Kingdom.
- Suggestion that cultured fish should benefit Hawaiians first.

2.2.2

Management Plan Guidelines

- The management regime should allow for innovation, and not be prescriptive about new approaches.
- The management regime should not define unnecessary maximum sustainable yield (MSY) or optimal yield (OY)-based production caps as done in the Gulf of Mexico (GOM). Rather, MSY and OY should be determined via calculations of carrying capacity based on individual site characteristics.
- The management regime should not implement a blanket exclusion of aquaculture operations within Marine Protected Areas (MPAs). Aquaculture should be possible if the operation is compatible with the established purpose of the specific MPA (e.g., MPAs designed for fish replenishment).
- The management regime should prohibit siting of aquaculture facilities within or adjacent to MPAs. Evaluation of risks and impacts to MPAs should be an explicit permit review requirement. Additionally, NMFS should consult affected Federal agencies during the permit review process. It was suggested that the National Park Service participate in the NOAA permitting regime in order to mitigate environmental risk of operations and avoid sites that may impact national parks and other MPAs.
- The co-location of National Parks and National Marine Sanctuaries has greatly benefitted the conservation and protection of marine ecosystems and the siting of new aquaculture facilities within sanctuaries could jeopardize this collaborative effort.
- Comments urging NMFS to employ lessons learned from the GOM Fishery Management Council's Aquaculture Plan as the agency proceeds with the Pacific Islands Region PEIS process. Some lessons include: 1) creating permit guidance for applicants, 2) requiring a baseline environmental survey for siting purposes, 3) requiring an assurance bond for removal of

cultured fish and systems if the applicant fails to do so, and 4) instituting certain genetic requirements to reduce impacts of escapes on wild populations, as well as the progress made by commercial entities in applying for permits.

- Comments requesting that NMFS use the Council's Aquaculture Policy as a basis for the development of an aquaculture management program for the Pacific Islands Region.
- A recommendation that enforcement related to aquaculture operations in federal waters of the Pacific Islands region be conducted by the U.S. Coast Guard, NOAA Office of Law Enforcement, and other agencies in areas with U.S. joint enforcement agreements.
- A suggestion that requires that public trust resources benefit local communities.
- Avoid exporting any aquaculture products (thus benefiting foreign interests) until the area where fish are raised has achieved a minimum 50% food self-sufficiency.

2.2.3

Analysis

- Several people commented on the need for more stringent NEPA analysis due to the lack of information on impacts, while citing environmental impacts from salmon farming and other commercial fish farms.
- One commenter thought NOAA and the applicant should each do NEPA independently “to cross check accuracy of findings,” while another stressed that the PEIS be impartial and address all impacts before approved. Others noted that a programmatic analysis is inadequate as each facility is unique with unforeseen impacts.
- The PEIS should provide detailed information on the potential system characteristics, thoroughly analyze all reasonably foreseeable impacts to the environment and ocean users, and not defer these to project-specific analyses.
- The PEIS should thoroughly describe the allowable gear types so agencies can adequately assess the potential impacts (i.e., navigation, entanglement, research or instrumentation, vessel impacts).
- Allowable aquaculture equipment should include all aspects of operations, and not just the cages and vessels.
- The PEIS should carefully address all required provisions of NEPA: 1) create a full suite of practicable alternatives, 2) fully analyze the “no action”

alternative, 3) thoroughly assess the potential and likely impacts (including direct, indirect, and cumulative) to the region's fragile habitat and wildlife, economic impacts on coastal and fishing communities, and other social impacts relative to native communities, rights, and beliefs.

- Every aspect of the NEPA process for the proposed action in the PIR must comply with the Administrative Procedure Act.
- Fully assess the action's impact on climate change. This includes production and transportation of feed and product, as well as all other associated operations activities.
- Concern with indirect effects of commercial aquaculture operations, including creation of dead zones and ocean acidification.
- A statement that the PEIS should investigate the effects on shared resources including effects on ecosystem health and island-based food sustainability.
- Numerous comments stating that standing planning organizations, relevant and cooperating agencies, and specific experts should be included in the consultation process to improve assessment of sustainability, water quality, and ensure compatibility with military training and other ocean uses.
- The PEIS should compare the global impacts of sustainably farmed seafood to alternative animal proteins from terrestrial agriculture, and the prospects for increasing catches from improved management of wild stock fisheries.

2.2.4

Scoping Process

- Some commenters thought that notification of the scoping meetings was inadequate. In American Samoa, the use of the English language prevented full understanding by some community members. Additionally, limited internet availability and unfamiliarity of the process contributed to low participation.
- In American Samoa, the scoping process simply fulfilled a requirement and did not obtain meaningful public input.
- In American Samoa, the public notice provided very little information describing the need to pursue this action, indicating that the public can therefore not provide meaningful comment.
- NOAA has not adequately engaged with the American Samoa Government, the American Samoa people or their leaders and has not considered their needs or perspective in fisheries management actions.

- In American Samoa, sixty chiefs and others previously documented a request for enhanced outreach as part of a previous NMFS action.
- The deeds of cessions for American Samoa provides for special guarantees to ceded waters that are not being met.

2.2.5 *Magnuson-Stevens Act Authority*

- A commenter thought that NMFS had no authority under the Magnuson-Stevens Act to manage aquaculture, as it is not fishing and the equipment of the industry is not included under the Magnuson-Stevens Act, and any authority would need to come from Congress.
- Encourage better management of capture fisheries versus developing open ocean aquaculture.
- The Gulf of Mexico Fishery Management Council established a legal precedent for the management of aquaculture in federal waters under provisions of the Magnuson-Stevens Act.

2.2.6 *Permits and the Permitting Process*

Permit Number and Duration

- Limit the number of permits until the ecosystem can handle it and the community wants it.
- NMFS should issue permits to new companies still looking for financing to prevent development of the industry by only large corporations.
- Permit duration of 20-35 years would spur investment and more consistent with leases issued for State waters.
- Permit duration should be 2-5 years, and be renewable based on compliance with laws.
- Permit renewals for projects in compliance should be administrative (automatic).
- The period from permit approval to infrastructure placement and fish culturing should be 3 and 4 years, respectively, to allow for delays.
- Ensure that the permitting process is well defined and rigorous, including clarifying any sanction action process for a project subject to enforcement action.

- NMFS should not issue permits to foreign corporations. Public trust resources should be for the benefit of local communities and not foreign profits.

Permit Approval Process

- Coordination between all action agencies and the permittee to avoid duplication and inter-agency conflicting requirements.
- Established fishing organizations should advise the permit process regarding siting and species cultured.
- Hold public meetings in communities adjacent to proposed sites and involve the communities early in the decision-making process.
- The process should promote positive ocean stewardship and long-term sustainability.
- Create a review process that addresses all impacts to various environments before a permit can be approved.
- The streamlining of permitting with all Federal agencies is critical from a business viewpoint.
- Reduce the time and cost of the permitting process (commenter noted \$2 million and 8 years to obtain permits).
- The permit process and management plan should establish a site disposition and oversight component that provides the aquaculture operators the essential safeguards to move forward.
- Information should be readily available on-line and available to the public for review.

Special Permit Conditions

- Require a routine environmental monitoring program, monthly site inspections, and performance standards that are adapted over time as information warrants.
- Require applicants to complete a baseline assessment, permit fee to recover administrative costs, equipment maintenance program, habitat restoration plan, emergency plan, and a decommissioning plan.
- Specific statements on the decommissioning/removal of equipment including measures to deal with abandonment of cages, removal of damaged cages, removal of cages no longer with appropriate recycling, and that removal be at the expense of the permittee.

- NMFS should create regulations and a penalty schedule that effectively limit operators who fail to adhere to permit requirements, policies and regulations. These should include loss of permit.

2.2.7 *Reporting Requirements*

- Do not require permittees to submit when and where they will collect broodstock 30 days in advance (as is the case for the GOM), as it is unrealistic. Allow flexibility, including requiring permittee to call the day before or report broodstock catch the day after.
- Do not overly restrict operational landing of fish as in the GOM (6 am-6 pm with 72-hour notice), which limits the ability to improve business.
- An invoice should accompany all cultured species through each transaction to verify origin of species.
- Reports and baseline inventories should be accessible to Federal and State partners.
- Appropriate agencies must address escapement of invasive species and pathogens immediately in order to initiate containment. Regional, State and Federal partners must be aware of violations immediately so they may take corrective actions.

2.2.8 *Siting*

- Suggestion that the management regime consider zoning by types of aquaculture facilities (e.g., recirculating systems, surface cages, wandering cages).
- Numerous concerns that blanket prohibitions and siting requirements be limited, as permit conditions should be relevant to the site-specific environmental conditions.
- Opposition to: 1) minimum distance between operations, 2) permittee owning adjacent sites, 3) size of site related to size of system, and 4) size of site related to condition or vulnerability of resources.
- Restrictions should be set on facilities to safeguard the environment.
- Siting should not occur in known important or sensitive fishery and fishing habitats (e.g., Habitat Areas of Particular Concern).
- Facilities should minimize disruption of navigation in public waters, and avoid areas of high commercial and recreational fishing activities.

2.2.9

Monitoring

- NMFS should prescribe monitoring requirements and not develop them on an ad hoc basis.
- NMFS should require real time data reporting and automatically transmitted water quality parameters.
- The permitting and monitoring program should not rely on a self-reporting system.

2.2.10

Diseases

- Concern that aquaculture operations will act as a disease vector due to conditions of high-density production and predators unable to control sick fish naturally.
- Previous documented disease outbreaks in salmon aquaculture in Chile, Canada and Scotland.
- Concern that overuse of antibiotics could produce antibiotic resistant bacteria and infected farmed fish could introduce resistant bacteria to humans.
- The management regime should develop or require the permittee to develop quarantine procedures and/or health evaluation programs and policies that would apply to every permittee.
- NMFS should investigate how antibiotics, chemicals, hormones in feed, and genetically engineered fish affect marine life.

2.2.11

Ecosystem Effects

Ecosystem Benefits

- Numerous statements that open ocean aquaculture has advantages over nearshore facilities, with minimal impact to ecosystems and the PEIS should not apply nearshore analysis to open ocean operations.
- Statements noting that environmental concerns from aquaculture operations stem from problems with inshore and inland fish farming, including lower quality of fish, poor conditions of pens and facilities, poor water quality and flushing, and the PEIS should make a clear distinction between the two types of operations.

- Fish pens that are allowed to move in response to the environment (wander) result in healthier fish, minimum parasite loading, and virtually no environmental impact.
- One commenter noted that a net pen operation has been operating inside the Hawaiian Islands Humpback Whale National Marine Sanctuary for almost 10 years with no negative impacts on humpback whales.

General Ecosystem Concerns

- Numerous commenters expressed general concerns that large-scale aquaculture could affect or have already affected local ecosystem health, with some emphasizing concern for habitat of known importance to particular species. Commenters noted observed impacts from commercial fish farming of salmon in Maine, British Columbia, and Chile, and sea bream, and sea bass in the Mediterranean.
- Cages create ecosystems by aggregating fish that eat the excess feed.
- Facilities should not prevent movement of native wild organisms.
- Aquaculture operations should be located, designed, operated and monitored to prevent adverse impacts to estuaries, marine habitats and native fishery stocks.
- The applicant must be able to fully mitigate unpreventable impacts.

Sharks

- Concerns over the potential of offshore aquaculture operations to attract and concentrate sharks, which increases the potential for human encounters.
- Sharks aggregating around cages could create a danger to workers.
- Concerns that facilities which aggregate sharks could result in unknown ecological effects.

Benthic Concerns

- Studies have shown adverse benthic impacts below cages, including decreased abundance or species diversity and/or increase in opportunist species.
- Concern that the construction of fish pens, including dredging and anchoring, disturbs the seafloor habitat and impacts important plants and corals.

2.2.12

Pollution and Chemicals

- Statements asking to ban the discard of diseased stock into the open ocean.
- Statements asking to ban the disposal of plastics, wood, and boxes into the ocean, and implementing fines for violators.
- Require submission of an approved waste management plan prior to permit approval.
- Suggest a ban on pesticides, chemicals, and antibiotics.
- Use only Food and Drug Administration-approved chemicals and therapeutics as the potential impacts of untested chemicals and antibiotics to ecosystem and associated species is unknown.
- Direct impacts from therapeutics, antibiotics, chemical treatments, hormones and genetically engineered feeds on other marine life should be considered in the PEIS.
- Concern that genetically engineered and imported feeds may introduce toxins and diseases.
- Concern that large aquaculture operations (> 20 acres) would disrupt natural ecosystems and could concentrate pollutants.
- Impacts to water quality and eutrophication near aquaculture operations.
- Concerned with impacts from maintenance and cleaning equipment on ecosystem and water quality.
- Permittees should be required to clean cages and vessels on land to avoid impacts to ocean ecosystems.
- Avoid using chemicals when cleaning aquaculture equipment.
- Aquaculture presents a human health risk due to contaminant accumulation in farmed fish and surrounding habitats.
- Antibiotic use in aquaculture could pose a human health risk.

2.2.13

Protected Species

- Concern that large farms that culture tuna species could harm insular false killer whales.
- One commenter provided information on 51 California sea lions that drowned off Vancouver Island after being entangled in net pens in 2007.

- One comment emphasized that the NEPA analysis should thoroughly consider the environmental problems (e.g., entanglement, capture, take) of open ocean aquaculture on species protected by the Endangered Species Act (ESA), Marine Mammal Protection Act (MMPA) and Migratory Bird Treaty Act (MBTA), including cumulative and alternatives assessments, as well as provide measures to minimize these impacts.

2.2.14

Cultured Species

Genetically Engineered Species

- Prohibit genetically engineered and transgenic species.
- Stocks native to the Pacific Islands Region and the geographic island area in which they would be cultured should receive priority as candidate culture species.
- Culture of non-native or genetically altered species should be thoroughly investigated to insure they will not have any detrimental impacts to native species or the environment.
- Do not include language that restricts farmers from common breeding techniques, including selective breeding, polyploidy, microsatellite genetic markers and use of hormones to induce spawning.

Native vs. Non-Native Species

- Non-native species should be considered for culture. Limiting juveniles for culture to F1 generation of wild-captured broodstock would hinder development and sustainability.
- Do not require broodstock to be immediate descendent of local wild stock. Selective breeding should be encouraged as it will improve production efficiencies, and will render any escapees far less fit for survival in the wild.
- Investigate the impacts of importing non-native fish to Hawaii, with a suggestion not to import fish or seaweed from other regions that can introduce diseases and become invasive.
- A commenter suggested the Council would oppose the use of non-native species in open-water or open system environments where escapement can occur.

Other Cultured Species Considerations

- NMFS should investigate the harms and benefits of carnivorous and herbivorous fish.

- Aquaculture of carnivorous fish should be banned and only allow herbivorous fish to be raised.
- Aquaculture of carnivorous fish requires a greater input of wild fish feed to grow a pound of fish.
- Culture of carnivorous fish starves a third of the world's people who rely on feed fish for protein.
- Support for the use of herbivorous fish where local plant based feeds can be sustainably produced in an environmentally safe manner.
- Identify and encourage safe, sustainable, and beneficial forms of open ocean aquaculture that have minimal harm to the environment.
- NMFS should begin the management of open ocean aquaculture by permitting the culture of seaweeds on large free-floating rafts and raising filter feeders since they need no feed and improve water quality.

2.2.15

Wild Stocks

Use of Wild Stocks for Food

- Concerns with impacts on the ecosystem, fishermen and local communities due to the depletion of local wild stocks to create fish meal and fish oil.
- Ban the use of local fish stocks for fishmeal.
- Request research on the sustainability of using local stocks for aquaculture.
- The PEIS should provide a full discussion of the origin of fishmeal and fish oil to address impacts to wild stocks, protected resources, and human impacts in those source areas as well as global climate change.

Use of Wild Stocks for Broodstock

- Regulate the collection of native brood stock through permitting and reporting to prevent overfishing.
- Do not place a blanket restriction on the location from where broodstock can be collected (i.e., only from a population where the facility is located), as it could prohibit industry development with no identified ecological benefits.
- NMFS should develop distribution information of potential broodstock.

Impacts from Escaped Fish on Wild Stocks

- Concern over environmental impacts due to the escape of cultured fish into the local ecosystems, including impacts from interbreeding, altering natural behavior, and effects on long-term survivability of wild stocks.
- Research indicates that escaped salmon have altered genetics of wild stocks.
- A discussion of escaped fish that have already impacted Hawaiian and other ecosystems should be included in the PEIS.
- Management should work to minimize adverse effects of escaped fish on wild stocks.
- Avoid using live fish from another region to feed cultured fish.
- Permittees should employ standard operating procedures to prevent escape and that permittees are accountable for any fish escapes.

2.2.16 *Fishing*

- Concern for limited access to fishing grounds.
- Request that buffer zones be no larger than required for safety concerns, while allowing nearby fishing to occur.
- Opposition to an exclusion zone around cages.
- Request collaboration between fishermen and permittees to discuss access and boundaries prior to designating exclusion areas.
- Request for studies that assess impacts to fishermen.
- Designated exclusion zones should apply to all users, not just fishermen.

2.2.17 *Economics*

Use of Ocean Space for Private Enterprise

- Opposition to privatization or exclusive rights of a common resource.
- Concerns on how aquaculture might affect public use, including recreation, tourism, shoreline fishers and small-boat fishers.
- Request for clarification on the mechanism to privatize the ocean to satisfy potential entrepreneurs.

- Without exclusive rights, entrepreneurs will not invest and the industry will not develop.

Job creation and loss

- Support for aquaculture development as a job creator, particularly in the Pacific Islands fishing communities where opportunities are limited.
- Aquaculture facilities act as Fish Aggregating Devices, providing opportunities for recreational and small-scale fishing.
- Concerns that aquaculture development is a potential job killer, citing loss of opportunity in capture fisheries and reduced gains in aquaculture industry due to automation and corporate consolidation of businesses.
- Concern that NMFS actions have ignored economic impacts to American Samoa economy.

Loss of income to fishermen

- Concern for impacts to local fishermen and the fishing industry, including competition pushing down prices and loss of fishing grounds limiting catch.
- Comments noting that social and economic effects should be thoroughly analyzed in the PEIS, including effects on existing fisheries and markets for the same species, and creating a mechanism to limit economic harm.

2.2.18

Research

- NMFS should conduct a detailed analysis of the EEZ, including benchmarks for all parameters of concern (e.g., water quality, protected species interactions), so each operator/permittee does not have to conduct their own individual research and surveys.
- The industry should participate in cooperative research of cultured species.
- Industry should actively participate in research and monitoring to improve understanding of aquaculture's relationship to marine ecosystems.
- Conduct research on how different farm sizes impact natural, social and cultural environment.
- Research how this action may contribute to and take away from island based and inter-island food sustainability.

- NMFS needs to educate the public and non-governmental organizations on research to counter false claims and misconceptions about offshore aquaculture.
- A commenter made the statement that the Council recommends that the industry actively educate institutions about necessary regulations and permits.

3.0 *SUMMARY OF FUTURE STEPS IN THE PEIS PROCESS*

Scoping is the first step in the NEPA process in preparation of the PEIS. Figure 3-1 illustrates the remaining steps to complete development of the offshore aquaculture management program.

A PEIS is a broad environmental evaluation that examines a program (as opposed to individual projects). This PEIS will consider reasonable and foreseeable offshore aquaculture operations across the Project Area, but will be limited in its assessment of location-specific concerns. The PEIS intends to improve NMFS assessment of industry-wide actions on a large scale. This approach will allow NMFS to be adaptable to changing technological, socio-economic, and environmental conditions expected to evolve as the industry matures. The PEIS will analyze the overall program of aquaculture management activities over the next several years. The PEIS will evaluate the potential impacts of the aquaculture program on the environment including physical, biological, and socioeconomic resources.

3.1 *DEVELOPMENT OF PROJECT PURPOSE AND NEED*

NEPA requires a clear statement of the purpose and need to which NMFS is responding in proposing the action. NMFS developed a preliminary purpose and need prior to the scoping period. NMFS may further refine the purpose and need for this action in the Draft PEIS as a result of the scoping comments and additional coordination.

Purpose: Establish a regional management program to ensure environmentally sound and economically sustainable aquaculture in Federal waters of the Pacific Islands Region. Building on the management experience obtained through recent projects in Hawaii, following guidance from the NOAA National Aquaculture Policy and the Council's regional aquaculture policy, as well as lessons learned from the Fishery Management Plan for Regulating Offshore Marine Aquaculture in the GOM.

Need: A comprehensive aquaculture management program that describes and controls where, how, and how much aquaculture occurs, and provides clear regulatory guidance to the industry.

Figure 3-1. Key Steps and Approximate dates in the NEPA Process



* Opportunity for the public to provide comments.

3.2 *DESCRIPTION OF AFFECTED ENVIRONMENT*

A description of the affected environment is necessary to establish a baseline. NMFS will analyze potential impacts of the proposed action and a reasonable range of alternatives in comparison to the baseline. NMFS will include a description of the affected environment in the PEIS and a summary of existing scientific data available on all potentially affected resources. This step is in progress.

3.3 *FORMULATION OF ALTERNATIVES*

NMFS developed preliminary alternatives for presentation to agencies and the public during scoping. These alternatives include a suite of management actions (listed in section 1.2) that vary by level of restrictiveness across alternatives. Each alternative developed for the Draft PEIS will include the whole suite of actions for a management program, but the selected program alternative may include a more restrictive action option(s) paired with a second less restrictive action option(s). Each of the alternatives must meet the purpose and need. Building on information received during scoping, the project team will further develop a reasonable range of alternatives to analyze in the Draft PEIS. NMFS will identify alternatives not brought forward for formal analysis in the Draft PEIS, along

with justification for elimination. This step began in December 2016, and will continue through drafting of the PEIS.

3.4 ANALYZING THE EFFECTS OF THE ALTERNATIVES

After the alternatives have been developed and finalized, NMFS will analyze the potential effects of each alternative. This process begins in February 2017 and NMFS will present the results in the Draft PEIS.

3.5 WRITE AND PUBLISH THE DRAFT PEIS

NMFS will publish a Draft PEIS and make it available to the public for a 60-day public review period. NMFS will publish a Notice of Availability in the *Federal Register* that will provide a link to the draft PEIS and identify the comment period, and any associated public meetings. NMFS will update the project website at appropriate milestones. Those who are on the mailing list will receive email notification of the availability of the Draft PEIS. NMFS anticipates publishing the Draft PEIS and may hold additional public meetings during the summer of 2017.

3.6 ISSUING THE FINAL PEIS

NMFS will consider substantive comments on the Draft PEIS, and will include these comments and agency responses in the Final PEIS. NMFS may respond to certain comments by making changes in the Final PEIS. NMFS will notify the public of the selected management alternative in the Final PEIS, and make the Final PEIS available for a 30-day comment period. NMFS may consider comments on the Final PEIS before issuing a Record of Decision. NMFS anticipates publishing the Final PEIS in late 2017, and the Record of Decision in early 2018.

4.0 CONTACTS

For further information regarding this Scoping Report, or other aspects of the Proposed Aquaculture Management PEIS, please contact:

David Nichols, Fishery Management Specialist - Aquaculture
Project Manager
Sustainable Fisheries Division
Pacific Islands Regional Office
NOAA National Marine Fisheries Service
1845 Wasp Blvd., Building 176
Honolulu, HI 96818
Phone: 808-725-5180
David.Nichols@NOAA.gov
http://www.fpir.noaa.gov/SFD/SFD_aq.html

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APPENDIX A – PACIFIC ISLAND FISHERIES; AQUACULTURE; NOTICES OF INTENT TO PREPARE A PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT; PUBLIC MEETINGS; REQUEST FOR COMMENTS.

the needs determined by NMFS and SEDAR staff. In 2017, NMFS intends to update the Gulf of Mexico blacktip shark stock assessment and conduct a standard assessment for sandbar sharks. In 2018, NMFS intends to conduct a benchmark assessment for Atlantic blacktip sharks. During an assessment year, meetings and meeting logistics will be determined according to the SEDAR Guidelines. All meetings are open for observation by the public.

Dated: August 18, 2016.

Alan D. Risenhoover,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

[FR Doc. 2016-20103 Filed 8-22-16; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XE812

Pacific Island Fisheries; Aquaculture

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of intent to prepare a Programmatic Environmental Impact Statement; request for comments.

SUMMARY: NMFS, in coordination with the Western Pacific Fishery Management Council (Council), intends to prepare a Programmatic Environmental Impact Statement (PEIS) to analyze the potential environmental impacts of a proposed Pacific Islands Region (PIR) aquaculture management program and alternatives. Publication of this notice begins the official public scoping process to help identify alternatives and determine the scope of environmental issues for consideration in the PEIS. The PEIS is intended to support offshore aquaculture development, including appropriate management unit species (MUS) for aquaculture, reasonably foreseeable types of offshore aquaculture operations, and permitting and reporting requirements for persons conducting aquaculture activities in Federal waters.

DATES: See **SUPPLEMENTARY INFORMATION** section for meeting dates. NMFS must receive comments by October 31, 2016.

ADDRESSES: You may submit comments on this action, identified by NOAA-NMFS-2016-0111, by any of the following methods:

• **Electronic Submission:** Submit all electronic public comments via the

Federal e-Rulemaking Portal. Go to <http://www.regulations.gov/docket?D=NOAA-NMFS-2016-0111>, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

• **Mail:** Send written comments to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Region (PIR), 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.

• **Scoping Meeting:** Submit written comments at a scoping meeting held by NMFS for this action.

Instructions: You must submit comments by the above methods to ensure that NMFS receives, documents, and considers your comments. NMFS may not consider comments sent by any other method, to any other address or individual, or received after the end of the comment period. NMFS will consider all comments received as part of the public record and will generally post comments for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: David Nichols, NMFS, Pacific Islands Regional Office, (808) 725-5180.

SUPPLEMENTARY INFORMATION: NMFS and the Council manage fisheries in U.S. Federal waters in the Pacific Islands through five fishery ecosystem plans (FEPs). The Council recommended amending the five FEPs to establish a management program for aquaculture fisheries under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). NMFS is working with the Council to develop a management program that would regulate and promote environmentally sound and economically sustainable aquaculture in Federal waters of the Pacific Islands Region.

In compliance with the National Environmental Policy Act (NEPA) and consistent with Council recommendations, the intent of the PEIS is to evaluate the potential direct, indirect, and cumulative impacts on the human environment of the proposed Federal action that includes alternative management approaches to implementing an aquaculture management program in the PIR. NEPA requires NMFS to consider the potential impacts of the proposed action and

reasonable alternatives to inform the selection of a final preferred alternative for the proposed Pacific Islands aquaculture management program.

Under the Magnuson-Stevens Act, NMFS has authority to regulate commercial fisheries in Federal waters, including aquaculture. Landings or possession of fish in the EEZ from the commercial marine aquaculture production of any species managed under an FEP in the PIR constitutes "fishing" as defined in Magnuson-Stevens Act Section 3(16). Fishing includes all activities and operations related to the taking, catching, or harvesting of fish. The U.S. EEZ in the Pacific Islands generally consists of waters from 3 nm to 200 nm around American Samoa, Guam, Hawaii, the Commonwealth of the Northern Mariana Islands (CNMI), Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Island, Wake Island, and Palmyra Atoll and includes all islands and reefs appurtenant to such islands, reefs, or atolls.

With the exception of coral reef ecosystem species, there is no requirement for Federal permits to conduct aquaculture for MUS in Federal waters. The existing regulatory process is complex and requires multiple permits from several different Federal agencies, including the U.S. Environmental Protection Agency (EPA), U.S. Army Corps of Engineers (USACE), and NMFS.

The preliminary proposed Federal action will identify areas and species suitable for offshore aquaculture, describe the reasonably foreseeable types of offshore aquaculture operations, and provide an early assessment of the potential social, economic, and environmental impacts of such proposed activities. Completing a PEIS for an aquaculture management program will facilitate the review and processing of aquaculture fishery proposals, supporting NEPA reviews for future projects.

The PEIS will include information that NMFS would use to understand the potential effects of managing aquaculture in compliance with applicable laws, including the Magnuson-Stevens Act, Endangered Species Act (ESA), Marine Mammal Protection Act (MMPA), the Coastal Zone Management Act (CZMA), and other applicable laws. In addition, the PEIS would allow for intergovernmental public review and input as NMFS develops and considers approval of the management program. The development and content of the PEIS must also be consistent with the NOAA Administrative Orders (NAO) 216-6A as

amended, and the Council on Environmental Quality (CEQ) regulations at Title 40, Code of Federal Regulations, Sections 1500–1508. NMFS will also prepare economic analyses consistent with the Regulatory Flexibility Act and a regulatory impact review under Executive Order 12866 to consider in its decision-making for the aquaculture management program. Scoping is an early and open process for determining the scope, or range, of issues that NMFS should address in a PEIS and for identifying the significant issues related to the proposed action. NMFS will also use this scoping process to seek information relating to the extent to which greenhouse gas emissions and climate change impacts associated with the proposed action. NMFS is also soliciting information to consider the effects of the proposed project on historic properties, if any such properties are present.

NMFS has developed two preliminary alternatives for consideration during scoping: A “no-action,” or status-quo, aquaculture management alternative, and an alternative that incorporates recommendations from Council meetings since 2008 regarding the

development of aquaculture requirements for the five FEPs. The preliminary alternatives shown in Table 1 include a suite of eight possible management actions to consider in the development of a sustainable aquaculture management program for each FEP. NMFS based the preliminary proposed action on Council recommendations and the goals and objectives for responsible development and management of aquaculture in Federal waters. These goals and objectives are in the NOAA Aquaculture Policy Statement (available here: http://www.nmfs.noaa.gov/aquaculture/policy/24_aquaculture_policies.html). Under Preliminary Proposed Alternative 1, the No-Action Alternative, NMFS would not implement a permit process for aquaculture in the PIR. The Council and NMFS may provide guidance to potential aquaculture operators, consistent with Council aquaculture recommendations, NMFS Aquaculture Policy, and other applicable guidance and laws. Under this alternative, NMFS would not have a management program specific to each FEP (Table 1). The draft PEIS must include an evaluation of the

No-Action Alternative in accordance with NEPA.

Preliminary Proposed Alternative 2 would establish an aquaculture management program that includes elements from each of the eight actions listed in Table 1. Recent Council input on a Pacific Islands Region aquaculture management plan have resulted in recommendations that aquaculture operations do the following:

1. Follow a Council-established review process;
2. Contain permitting and reporting requirements for aquaculture operations including criteria for a limited entry program; and
3. Include environmental monitoring and inspection requirements in the FEP amendment that are consistent with requirements already in place by the State of Hawaii.

Actions include developing a permit process that allows managers to control participation and developing monitoring and reporting requirements to monitor effort, catch, and environmental impacts as the program develops. Potential aquaculture operators would need to acquire a Federal permit from NMFS (Table 1).

TABLE 1—PRELIMINARY PROPOSED ALTERNATIVES FOR CONSIDERATION DURING THE SCOPING PROCESS ON THE DEVELOPMENT OF A SUSTAINABLE, AQUACULTURE MANAGEMENT PROGRAM IN THE PIR EEZ

Action	Alternative 1—status quo/no action	Alternative 2—establish an aquaculture management program for Federal waters
Action 1: Aquaculture Permit Requirements, Eligibility and Transferability.	NMFS currently has no aquaculture management program. Fishing with new gear type, including net pens, for coral reef ecosystem MUS may require a Special Coral Reef Ecosystem Fishing Permit (SCREFP) in the EEZ.	Alternative 2 would establish eligibility, application requirements, and restrictions for transferable aquaculture permits.
Action 2: Operational Requirements.	SCREFP requirements for coral reef ecosystem MUS are developed on case-by-case basis.	Alternative 2 would establish operational requirements specific to the aquaculture system.
Action 3: Duration of Permits	Under the status-quo SCREFPs are effective for no longer than one year unless otherwise specified.	An aquaculture permit would be effective for either five, 10, or 20 years and may be renewed in multi-year increments.
Action 4: Allowable Marine Aquaculture Systems.	Alternative 1 does not specify allowable systems for growing cultured organisms in the PIR EEZ.	Alternative 2 would allow only cages and net pens for aquaculture in the PIR EEZ of specific size and construction. Deviations from these systems would require additional analysis.
Action 5: Species Allowed for Aquaculture.	Under Alternative 1 only coral reef ecosystem MUS are required to have a permit when using new gear type, including net pen gear. No restrictions exist for other MUS.	Alternative 2 would allow aquaculture of only finfish in the PIR EEZ.
Action 6: Aquaculture Siting Requirements and Conditions.	Alternative 1 does not restrict or otherwise identify aquaculture locations.	Alternative 2 would establish marine aquaculture zones, within which NMFS would permit individual sites. Separate facilities within these zones would be spaced at distances based on facility size and oceanographic, biological and human use considerations.
Action 7: Record-keeping and Reporting Requirements.	The NMFS Regional Administrator has authority to specify record-keeping and reporting requirements in a SCREFP.	Alternative 2 would establish electronic record-keeping and reporting requirements that address, at a minimum, escapement, entanglements and interactions with protected species, pathogens and disease, brood stock harvest, water quality monitoring, and aquaculture harvest. Applicants must conduct a baseline assessment and monitoring at the site.
Action 8: Framework Procedures.	Under Alternative 1, specific framework procedures for modifying aquaculture management measures would not be identified.	Under Alternative 2, NMFS would specify framework procedures for modifying management measures for offshore marine aquaculture in the PIR EEZ.

NMFS recognizes that any alternatives considered in the draft PEIS will be based on the combined input from the public, research institutions, fishermen, non-governmental organizations, and affected State and Federal agencies, and Council processes. A principal objective of the scoping process is to identify a range of alternatives that will delineate critical issues and provide a clear basis for distinguishing among those alternatives, and to support the selection of a preferred alternative. NMFS is seeking input during scoping regarding the eight actions in Table 1 that make up the features of an aquaculture management program to assist in developing the reasonable range of alternatives to analyze in the draft PEIS.

In addition, NMFS is seeking input from the public on the issues that NMFS should address in the draft PEIS related to an aquaculture management program and the potential direct, indirect, and cumulative effects of the alternatives on the human environment. After NMFS analyzes a set of management alternatives, the Council may recommend a preferred proposed Federal action alternative. NMFS would then analyze the preferred alternative and a reasonable range of alternatives in a draft PEIS.

Public Involvement

Through this notice, we are notifying the public that NMFS has initiated a NEPA analysis and decision-making process for this proposed action so that interested or affected people may participate and contribute to the development of a final set of alternatives and analysis of environmental effects for NMFS and the Council to consider for an aquaculture management program. Public involvement will provide the information required by NMFS and the Council to identify the necessary scope and range of reasonable management alternatives including the need for additional alternatives that will provide a sound and scientific basis for developing a sustainable and long-term aquaculture management program in the PIR.

NMFS will again ask for additional public comments once NMFS publishes the Draft PEIS, probably in late spring 2017. You may find more information about the NMFS aquaculture program and the progress of the PEIS at http://www.fpiir.noaa.gov/SFD/SFD_aq.html.

Meetings

NMFS will hold the following public scoping meetings. All meetings will be from 6 p.m. to 9 p.m.

1. Pago Pago, AS, Thursday, September 8, 2016, NOAA Fisheries Conference Room, Pago Plaza, Suite 208, Pago Pago, AS 96799.
2. Hilo, HI, Tuesday, September 13, 2016, University of Hawaii at Hilo, United Classroom Building (UCB) 111, 200 W. Kawili St., Hilo, HI 96720.
3. Kailua-Kona, HI, Wednesday, September 14, 2016, West Hawaii Civic Center, Community Meeting Hale (Bldg. G), 74-5044 Ane Keohokalole Hwy., Kailua-Kona, HI 96740.
4. Honolulu, HI, Thursday, October 13, 2016, NOAA Fisheries Honolulu Service Center at Pier 38, Honolulu Harbor, 1139 N. Nimitz Hwy., Suite 220, Honolulu, HI 96817.

NMFS is also planning to hold scoping meetings in the CNMI and Guam during October 2016. NMFS will announce the details of these meetings in a separate **Federal Register** notice.

Dated: August 17, 2016.

Emily H. Menashes,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 2016-20048 Filed 8-22-16; 8:45 am]
BILLING CODE 3510-22-P

BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No.: CFPB-2016-0042]

Agency Information Collection Activities: Comment Request

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Consumer Financial Protection (Bureau) is requesting a new information collection titled, "Application Forms for Financial Empowerment Partnerships."

DATES: Written comments are encouraged and must be received on or before October 24, 2016 to be assured of consideration.

ADDRESSES: You may submit comments, identified by the title of the information collection, OMB Control Number (see below), and docket number (see above), by any of the following methods:

- Electronic: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Mail: Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW., Washington, DC 20552.

- Hand Delivery/Courier: Consumer Financial Protection Bureau (Attention: PRA Office), 1275 First Street NE., Washington, DC 20002.

Please note that comments submitted after the comment period will not be accepted. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Documentation prepared in support of this information collection request is available at www.regulations.gov. Requests for additional information should be directed to the Consumer Financial Protection Bureau, (Attention: PRA Office), 1700 G Street NW., Washington, DC 20552, (202) 435-9575, or email: CFPB_PRA@cfpb.gov. *Please do not submit comments to this mailbox.*

SUPPLEMENTARY INFORMATION:

Title of Collection: Application Forms for Financial Empowerment Partnerships.

OMB Control Number: 3170-0NEW.

Type of Review: New collection (Request for a new OMB Control Number).

Affected Public: Private Sector (e.g., community-based organizations and national non-profit organizations), State, Local, or Tribal Governments, and Federal Government.

Estimated Number of Respondents: 285.

Estimated Total Annual Burden Hours: 1,625.

Abstract: The Bureau's Office of Financial Empowerment (Empowerment) is responsible for developing strategies to improve the financial capability of low-income and economically vulnerable consumers, such as consumers who are unbanked or underbanked, those with thin or no credit file, and households with limited savings. To address the needs of these consumers, Empowerment has developed three initiatives that target intermediary organizations and provide tools, training, technical assistance, and other services to help them reach low-income and economically vulnerable consumers to provide them the financial empowerment tools and information that they need, when they need it, where they are. These initiatives: (1) Your Money, Your Goals, (2) Financial Coaching, and (3) Tax Time Savings all require Bureau to engage organizations to participate in our financial empowerment initiatives. The proposed information collection request consists

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

RIN 0648-XE812

Pacific Island Fisheries; Aquaculture

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of intent to prepare a Programmatic Environmental Impact Statement; public meetings; request for comments.

SUMMARY: NMFS, in coordination with the Western Pacific Fishery Management Council, intends to prepare a Programmatic Environmental Impact Statement (PEIS) to analyze the potential environmental impacts of a proposed Pacific Islands Region aquaculture management program and alternatives. The PEIS would support offshore aquaculture development, including appropriate management unit species for aquaculture, reasonably foreseeable types of offshore aquaculture operations, and permitting and reporting requirements for persons conducting aquaculture activities in Federal waters.

DATES: NMFS must receive written comments by October 31, 2016. The meeting dates are:

1. October 18, 2016, 6 p.m. to 9 p.m., Saipan.
2. October 20, 2016, 6 p.m. to 9 p.m., Guam.

ADDRESSES: The meeting locations are:

1. Saipan—October 18, 2016, 6 p.m. to 9 p.m., Northern Marianas College, As Terlaje Campus, Building S, Room S-1, Saipan, MP 96950.
2. Guam—October 20, 2016, 6 p.m. to 9 p.m., Hilton Guam Resort & Spa, 202 Hilton Road, Tumon Bay, Guam 96913.

You may submit comments on this action, identified by NOAA-NMFS-2016-0111, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <http://www.regulations.gov/docket?D=NOAA-NMFS-2016-0111>, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.
- **Mail:** Send written comments to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Regional Office, 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.
- **Scoping Meeting:** Submit written comments at a scoping meeting held by NMFS for this action.

Instructions: You must submit comments by the above methods to ensure that NMFS receives, documents, and considers your comments. NMFS may not consider comments sent by any other method, to any other address or individual, or received after the end of the comment period. NMFS will consider all comments received as part of the public record and will generally post comments for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: David Nichols, NMFS, Pacific Islands Regional Office, (808) 725-5180.

SUPPLEMENTARY INFORMATION: NMFS previously published a Notice of Intent to prepare a PEIS to analyze the potential environmental impacts of a proposed Pacific Islands aquaculture management program and alternatives (81 FR 57567, August 23, 2016). Details regarding development of the PEIS may be found in that Notice of Intent, and are not repeated here.

NMFS is holding two additional public scoping meetings in Guam and Saipan (see **DATES** and **ADDRESSES**) to help identify alternatives and determine the scope of environmental issues for consideration in the PEIS.

NMFS will again ask for additional public comments once NMFS publishes the Draft PEIS, probably in late spring 2017. You may find more information about the NMFS aquaculture program and the progress of the PEIS at www.fpir.noaa.gov/SFD/SFD_aq.html.

Dated: September 27, 2016.

Emily H. Menashes,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 2016-23691 Filed 9-29-16; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648-XE916

New England Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Scallop Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Monday, October 17, 2016 at 10:30 a.m.

ADDRESSES: The meeting will be held at the Hilton Garden Inn, Boston Logan, 100 Boardman Street, Boston, MA 02128; phone: (617) 567-6789; fax: (617) 461-0798.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Committee will review Framework 28 (FW28) alternatives and analyses. The Committee will review any concepts or recommendations that come out of the joint Scallop PDT/AP meeting being held on October 13, 2016. The primary focus of this meeting will be to provide input on the range of specification alternatives. FW28 will set specifications including ABC/ACLs, DAS, access area allocations for LA and LAGC, hard-TAC for NGOM management area, target-TAC for LAGC incidental catch and set-asides for the observer and research programs for fishing year 2017 and default specifications for fishing year 2018. Management measures in FW28 include: (1) Measures to restrict the possession of shell stock inshore of 42°20' N.; (2) measures to apply spatial management to fishery specifications (ACL flowchart); (3) measures to modify the Closed Area I access area boundary, consistent with potential changes to habitat and groundfish mortality closed areas. The Committee may discuss scallop related issues under consideration in groundfish Framework 56. Other business will be discussed as necessary.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues

Facebook.com -posted August 25, 2016
NOAA Fisheries Pacific Islands

NOAA Fisheries Service, in partnership with the Western Pacific Regional Fishery Management Council, has begun an environmental review of a proposed aquaculture management program in Federal waters around the Pacific Islands.

NOAA Fisheries and the Council will be holding public meetings to determine the scope of management alternatives and potential environmental considerations.

Anyone interested in the subject may attend the meetings or comment online. For the meeting schedule and commenting instructions, go to: <http://bit.ly/2bjs3UD>.

[Image: Kampachi (*Seriola rivoliana*) farm off Kona, Hawai'i]

Twitter.com -posted August 25, 2016

NOAA Fisheries PIRO
@NOAAFish_PIRO

.@NOAAFisheries is holding public meetings and seeking comments on offshore aquaculture in the Pacific Islands: <http://bit.ly/2bjs3UD>