

NEFMC GARFO Aquaculture Update 6/30/2022

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Status of Federal Waters Aquaculture Projects

Project Name	Proposed/Permitted Location	Proposed/Permitted Species (subject to change)	Proposed/Permitted Site/Gear (at full build out)	Project Type	Federal Agency Permits Required*	Lead Agency for NEPA	Permitting Status
Blue Water Fisheries LLC	~10 miles off Newburyport, MA	Steelhead Trout, Atlantic Salmon, Lumpfish	40 submersible pens on two 250-acre permitted sites	Commercial	RHA Section 10 permit from ACOE, CWA NPDES permit from EPA, MSA authorization from NMFS	NMFS	Permit Applications Submitted/ NEPA Pre-Scoping
Salem State University/Northeast Massachusetts Aquaculture Center	~8.5 miles off Rockport, MA	Blue Mussels	Currently 3 submerged "backbone" lines, proposed 20 submerged "backbone" lines on a 30 acre permitted site	Research/Commercial	RHA Section 10 permit from USACE	USACE	Permit Applications Submitted
Running Tide LLC	~65 miles off Newburyport, MA	Sugar Kelp	30 vertical anchored lines	Research	RHA Section 10 permit from USACE	USACE	Permit Applications Submitted
Ocean Rainforest	~5 miles off Santa Barbara, CA	Giant Kelp	4 submerged "backbone" lines on a 86-acre permitted area	Pilot	RHA Section 10 permit from USACE	USACE	Permit Issued
Pacific Ocean Aquafarm	~4 miles off San Diego, CA	Yellowtail, White Sea Bass	28 submersible pens on a 323 acre permitted site	Commercial	RHA Section 10 permit from ACOE, CWA NPDES permit from EPA	NMFS	Permit Applications Submitted/ NEPA Scoping
Ocean Era (Valella Epsilon)	~45 miles off Sarasota, FL	Almaco Jack, Kampachi	1 submersible pen	Commercial	RHA Section 10 permit from ACOE, CWA NPDES permit from EPA	EPA	EPA Permit Under EAB Review, USACE Pending
Manna Fish Farms LLC	~23 miles off Pensacola, Florida	Finfish (Red drum, Almaco jack, Striped bass)	12 submersible pens	Commercial	RHA Section 10 permit from ACOE, CWA NPDES permit from EPA	Pending	Permit Applications Submitted



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EO 13921: NOAA as Lead Agency for NEPA

- NOAA is designated as the Lead Agency for NEPA when an aquaculture project:
 - Requires environmental review or authorization by two or more federal agencies,
 - Requires an environmental impact statement (EIS), and
 - Is located outside of the waters of any State or Territory and within the exclusive economic zone of the United States
- This is consistent with CEQ regulations that allow for the designation of a “Lead Agency” for NEPA based on the agency having special expertise in the subject matter regardless of their permitting role on the project



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Blue Water Fisheries (BWF) Project Details

- The applicant proposes to construct a commercial-scale marine finfish aquaculture facility within federal waters ~ 7.5 miles ENE of Newburyport Harbor in water depths ~80m.
- As proposed, the facility will occupy two 265-acre sites. At each site there will be 20 submersible net pens in a 2 x 10 grid. The pens will remain submerged approximately 15 m below the surface except when being actively serviced.
- The applicant plans to initially deploy and operate four pens. At full operation he expects to operate 40 pens that will produce up to 25.6 million pounds of a combination of steelhead trout (*Oncorhynchus mykiss*) and Atlantic salmon (*Salmo salar*) annually. Lumpfish (*Cyclopterus lumpus*) will also be stocked in the pens to manage external parasites on cultured fish.
- Operations will occur continuously throughout the year and will be based out of Portsmouth, NH.



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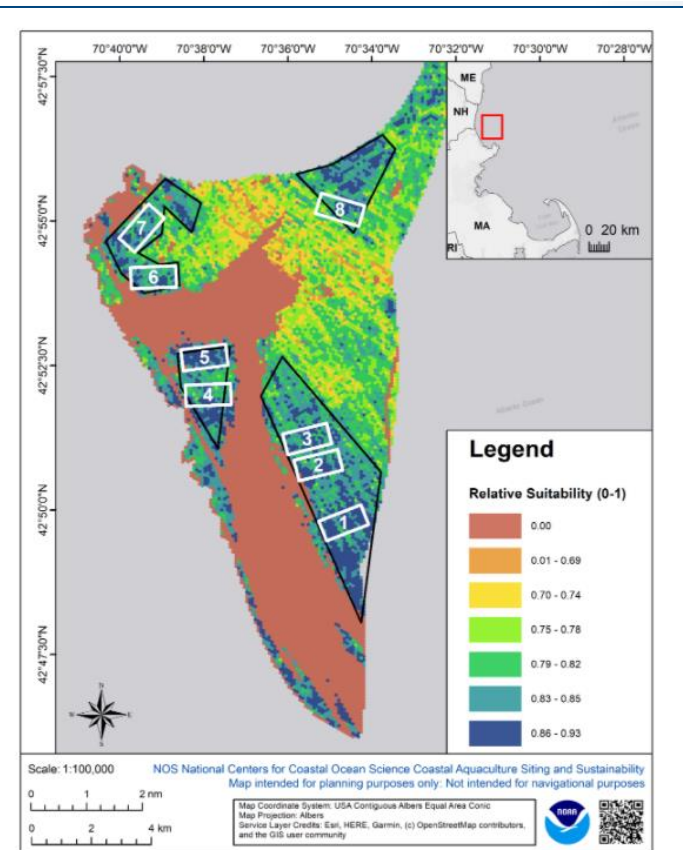
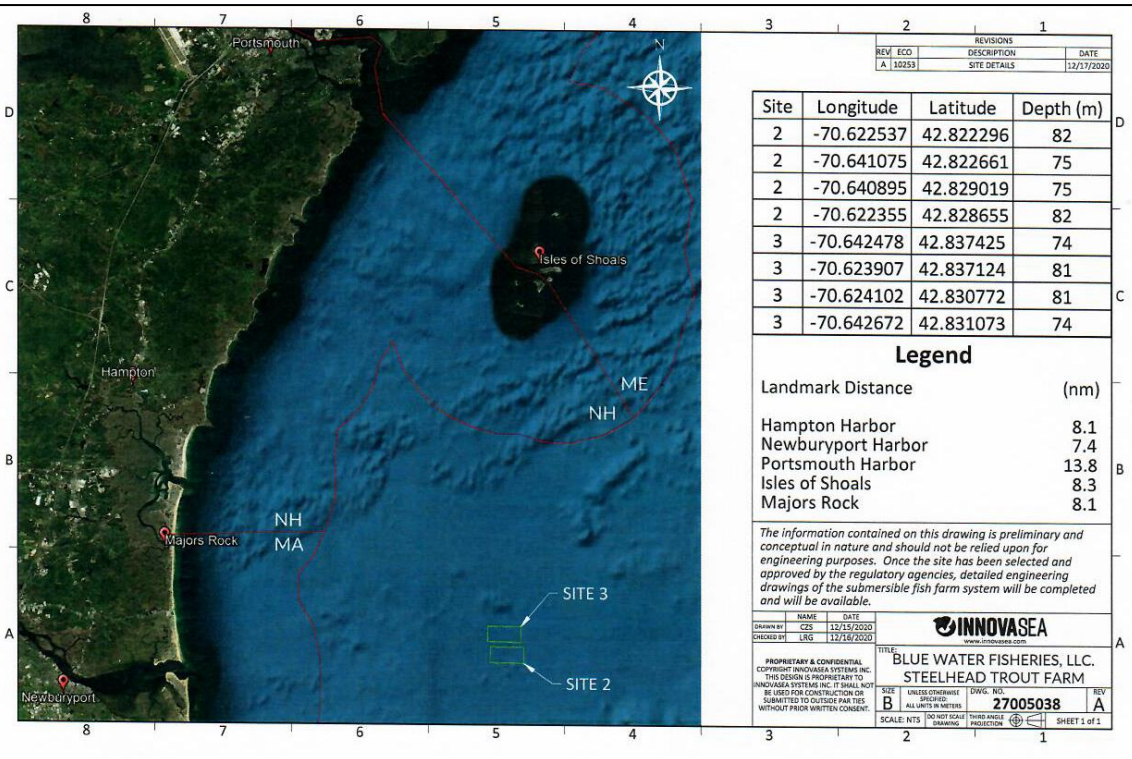
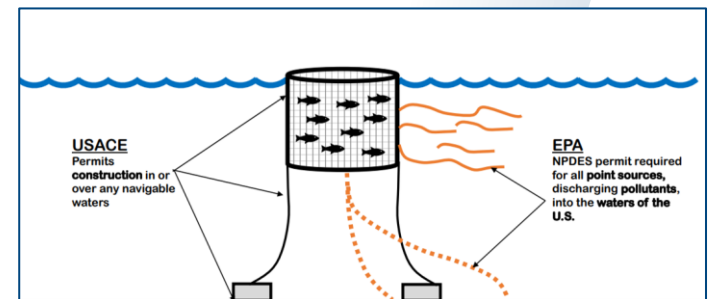
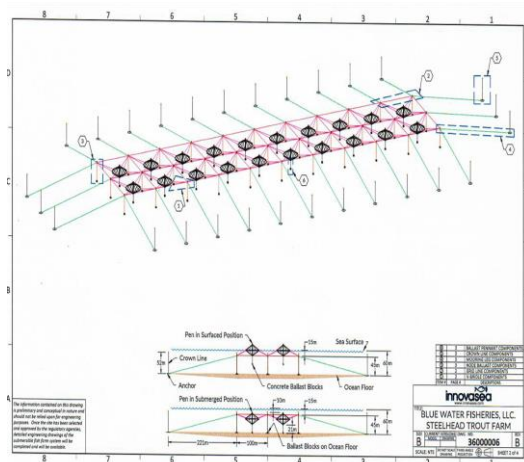
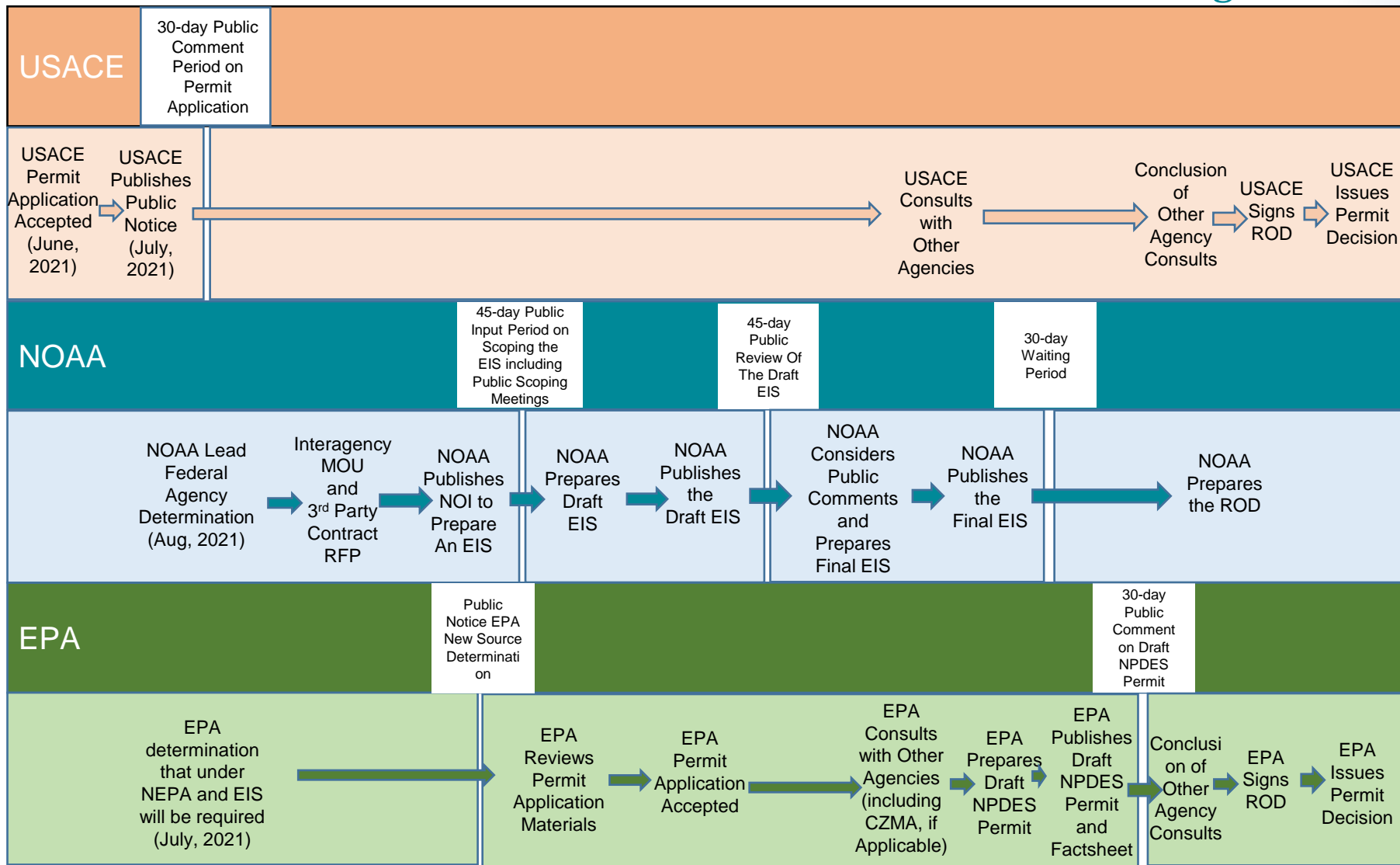


Figure 15. High-high cluster areas (black polygons) overlaying the final suitability analysis output. Within each high-high area, slope, sediment type, depth, and general oceanography were assessed to further refine the clustered areas. Eight alternative locations were determined using the aforementioned factors (white polygons).



Blue Water Fisheries Environmental Review and Permitting Process



EIS Content Overview

- Physical Oceanography
 - Air Quality
 - Public Health
 - Recreation and Tourism
 - Environmental Justice
 - Climate and Meteorology
 - Water Quality
 - Marine Mammals*
 - Lower Trophic Levels*
 - Environmental Contaminants
 - Ecosystem Function*
 - Fish and Essential Fish Habitat*
 - Marine and Coastal Birds*
 - Species listed under the Endangered Species Act and their Critical Habitat*
 - Socioeconomics
 - Cultural Resources
 - Transportation
 - Visual Resources
 - Energy
 - Land and Water Ownership, Use, and Management
- * Biological resources



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MSA Considerations Associated with the EEZ Culture of Atlantic Salmon

NEFMC has an FMP for Atlantic salmon that is largely focused on recovery efforts.

50 CFR § 648.40 prohibits the possession of A. salmon in the EEZ, except: for incidental catch, and if there is evidence the fish were harvested in state waters, or from foreign waters, or from aquaculture enterprises.

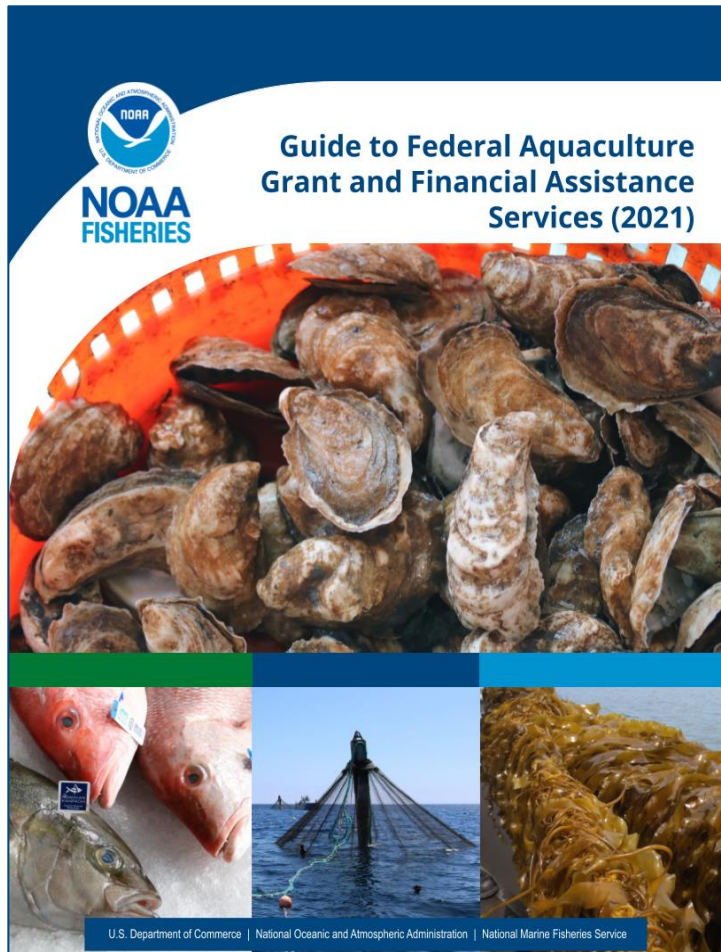
50 CFR § 648.41 details the process for the NEFMC to “...initiate action to implement, add to or adjust Atlantic salmon management measures to... Allow for Atlantic salmon aquaculture projects in the EEZ, provided such an action is consistent with the goals and objectives of the Atlantic Salmon FMP...”

2022 NEFMC Priority Action: To develop an action to facilitate Atlantic salmon aquaculture proposals in the EEZ.

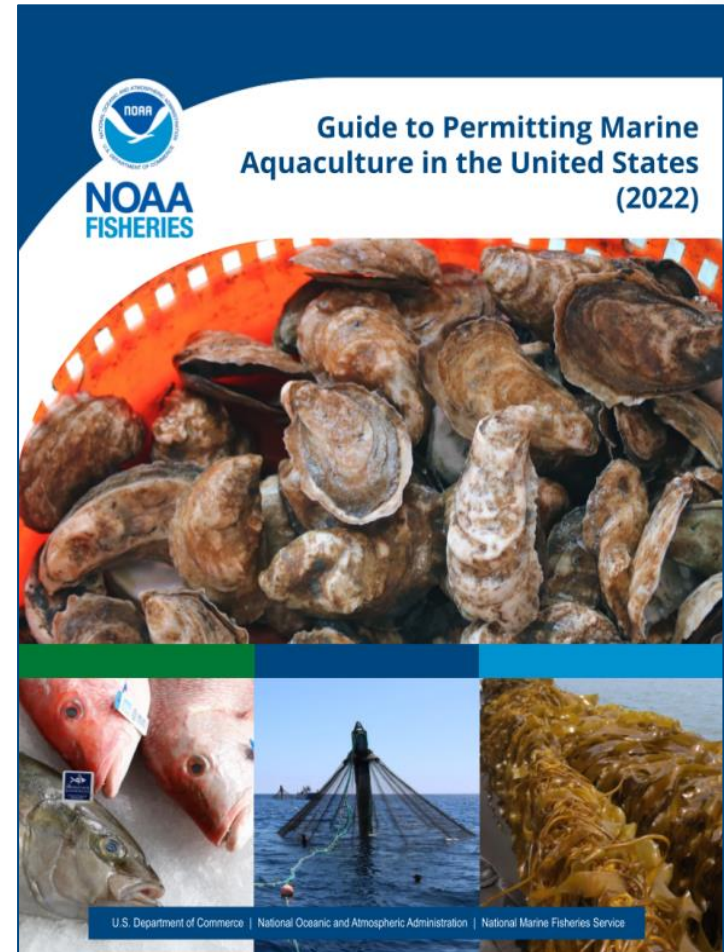


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New Federal Agency Aquaculture Guides



<https://www.fisheries.noaa.gov/resource/document/guide-federal-aquaculture-grant-and-financial-assistance-services-2021>



<https://media.fisheries.noaa.gov/2022-02/Guide-Permitting-Marine-Aquaculture-United-States-2022.pdf>

AQUACULTURE WEBINAR SERIES | April 5 and April 8, 2022

Aquaculture in New England Federal Waters: Regulation, Public Engagement and Interjurisdictional Coordination

The Northeast Regional Ocean Council (NROC)'s Ocean Planning Committee (OPC) hosted a webinar series about the regulatory process, public engagement, and interjurisdictional coordination for aquaculture in New England federal waters. This series built on NROC's 2020 webinar which highlighted federal efforts to designate Aquaculture Opportunity Areas in the United States, as well as NROC's recent development of a draft set of "Best Practices for Ocean Permitting and Management Processes."

These webinars provided an overview of the state of aquaculture in New England federal waters, an update on the identification of Aquaculture Opportunity Areas, an overview of the federal review and authorization process for aquaculture activities, and discussion about how federal agencies coordinate with states, tribes, and the public to consider environmental and human impacts during regulatory review. Panel sessions highlighted state, tribal, and public perspectives on opportunities to improve the federal regulatory review process and better engage different interests in aquaculture permitting decisions.

<https://neooceanplanning.org/planning-issues/aquaculture/>

Gulf of Mexico and Southern California Aquaculture Opportunity Area Notice(s) of Intent to Prepare a Programmatic Environmental Impact Statement

NOAA Fisheries recently published Notice(s) of Intent to prepare Programmatic Environmental Impact Statements for the proposed Southern California and Gulf of Mexico [Aquaculture Opportunity Areas](#). Additional information can be found on the [NOAA Fisheries West Coast Region AOA Public Scoping Meetings page](#) and the [NOAA Fisheries Gulf of Mexico AOA PEIS website](#).



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Thank You



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Habitat Committee Report

Aquaculture

Michelle Bachman, NEFMC staff

**NEFMC Meeting
June 30, 2022
Portland, ME**



Kingfish – EFH Consultation

- Land-based yellow amberjack (*Seriola lalandi*) facility
 - Will withdraw seawater from Chandler Bay and discharge back into bay as treated wastewater (28.7 million gallons per day at full capacity)
 - Trenching will be used to place pipelines in intertidal and subtidal areas to connect facility to Chandler Bay; EOncrete collars to hold pipes in place
- EFH Conservation Recommendations:
 - CR1: Compensatory mitigation for pipeline installation impacts
 - CR2: Monitoring EOncrete colonization
 - CR3: Assess potential entrainment impacts
 - CR4: End work window on March 14 to protect winter flounder
 - CR5: Assess scour and erosion along pipeline
 - CR6: Develop blasting plan if needed
 - CR7: Develop turbidity and sedimentation control plan



Atlantic Salmon Council Action



- Discussion questions
 - When to initiate a Council framework related to salmon aquaculture authorization?
 - September, or other timing that aligns with DEIS development for BWF project
 - What should the scope of that framework be?
 - Just Blue Water Fisheries project, or any future salmon aquaculture project?
 - Provisions for landing salmon (FMP has no-take provision)?
 - Recommendations for siting/spatial planning?
 - Identify other best management practices?

Habitat Committee Consensus Statement

The Habitat Committee recommends that the Committee and Council continue to work towards initiating an action related to authorizing Atlantic salmon aquaculture in the EEZ at the September Council meeting.