

Habitat Committee Meeting

Atlantic Salmon Aquaculture Framework
2023 Actions

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Via webinar



Summary



- The Salmon FMP prohibits directed fishing and possession in federal waters and allows for authorization of salmon aquaculture via a framework action
- This action will provide a clear path forward for salmon aquaculture projects in federal waters
- The Council approved goals and objectives in December
- The PDT met on January 4 to draft alternatives
- The purpose of today's discussion is to remind the Committee of the goals and objectives and solicit feedback on the draft alternatives
- A Council update on the draft alternatives is planned for January 24
- Enforcement review is also planned (meeting date and other agenda items are not yet determined)

Framework Goal

Allow for the implementation of Atlantic salmon aquaculture projects through the adjustment of the management measures prohibiting the possession and harvest of wild Atlantic salmon in the EEZ.

If necessary, add or adjust management measures to ensure aquaculture projects in the EEZ are conducted in a manner consistent with the goals and objectives of the Atlantic Salmon Fishery Management Plan.

Framework Objectives

1. Clarify, add, or adjust management measures that differentiate authorized possession of aquaculture raised Atlantic salmon from unauthorized possession of wild caught Atlantic salmon in the EEZ. This will allow for the continued enforcement of the prohibition on the harvest and possession of wild caught Atlantic Salmon within the EEZ.
2. Clarify, add, or adjust management measures to ensure federal dealers are not restricted from purchasing, possessing, and/or selling Atlantic salmon from authorized EEZ aquaculture operations. → Includes any dealer permitting requirements

Framework Objectives

3. Identify specific concerns that may require monitoring and develop management measures to address **enforcement or management** concerns.
4. Identify specific concerns that may require reporting to NMFS and develop measures, including reporting methods and frequency, to address **enforcement or management** concerns.

* Clarified following January 4 PDT meeting

Framework Objectives

5. Avoid duplication of existing state and federal enforcement, monitoring, and reporting requirements and mechanisms, while meeting the Council's conservation and management objectives for Atlantic salmon.
6. Ensure adjustments to the FMP are done in a manner that applies generally to Atlantic salmon aquaculture operations and allows for flexibility associated with future changes in enforcement, monitoring, or reporting technologies and methods.

Alternative 1 (No Action)

Possession of Atlantic salmon (wild and farmed) would remain prohibited in federal waters of the EEZ off the Northeastern US.

- The Council would not establish a specific authorization program for aquaculture operators to help ensure operational consistency with the Atlantic salmon FMP
- The Council would not establish any reporting or monitoring requirements

Alternative 1 (No Action) Rationale

Could be sufficient for operation of salmon aquaculture in the EEZ
→ Aquaculture operators, dealers, etc. would be required to individually ensure that they can provide sufficient evidence to show that fish were harvested/transferred from aquaculture enterprises

HOWEVER

→ Alternative 2 expected to provide greater clarity for aquaculture operators and provide more information for the Council and NOAA Fisheries via required reporting

Alternative 2 (Authorize possession)

Possession of farmed salmon explicitly authorized consistent with conservation objectives of the salmon FMP

- Includes reporting and enforcement provisions for authorized vessels to transport salmon within the EEZ and vessel & dealer reporting requirements
- Enables NOAA and NEFMC to track harvest and landings so there is accounting of farmed salmon
- Requirement to submit eVTR when salmon are transferred from farm to shore (per trip) including landings disposition
- Requirement for dealer reporting (2x/week)

Alternative 2 (Authorize possession):

Enforcement

Intent: To ensure NOAA's Office of Law Enforcement can evaluate salmon are from authorized aquaculture operation and not wild

- All aquaculture vessel operators required to obtain LOA each year
- Vessel operators required to transfer fish consistent with authorization (individually tag containers)
- Vessels cannot fish for or possess any other species than those identified on the LOA when servicing aquaculture operations

Fishing vessels not authorized to possess salmon should return any salmon caught in their gear to the water (incl. any escaped farmed salmon)

Alternative 2 (Authorize possession):

Reporting

Intent: To help NOAA and NEFMC track harvest, landings of farmed salmon

- Vessel operators must submit eVTR when salmon are transferred from farm to shore (each trip)
- Federally permitted dealers purchasing salmon must submit reports 2x/week

Atlantic salmon vessel and dealer permits may need to be created.

Alternative 2 (Authorize possession): Monitoring Exemptions

- Authorized salmon aquaculture vessels are exempt from Standardized Bycatch Reporting Monitoring requirements
- If authorized salmon aquaculture vessel uses VMS for other federal regulations, vessels may declare out of fishery (DOF) when servicing the facility / transporting fish

NOTE: All measures would apply to any future, federally permitted Atlantic salmon aquaculture project

Alternative 2 (Authorize possession):

Rationale

- Salmon are overfished, listed as endangered, protected under ESA
- Authorizing possession of farmed salmon will ensure aquaculture operators are in compliance with information requirements related to salmon possession
- Allowing possession will allow dealers to buy farmed salmon
- Since compliance with NASCO conservation standards is required → would not compromise restoration of wild stocks
 - Esp. Williamsburg Resolution → minimizes impacts of salmon aquaculture, introductions/transfers/transgenics on wild stocks

Alternative 2 (Authorize possession):

Rationale

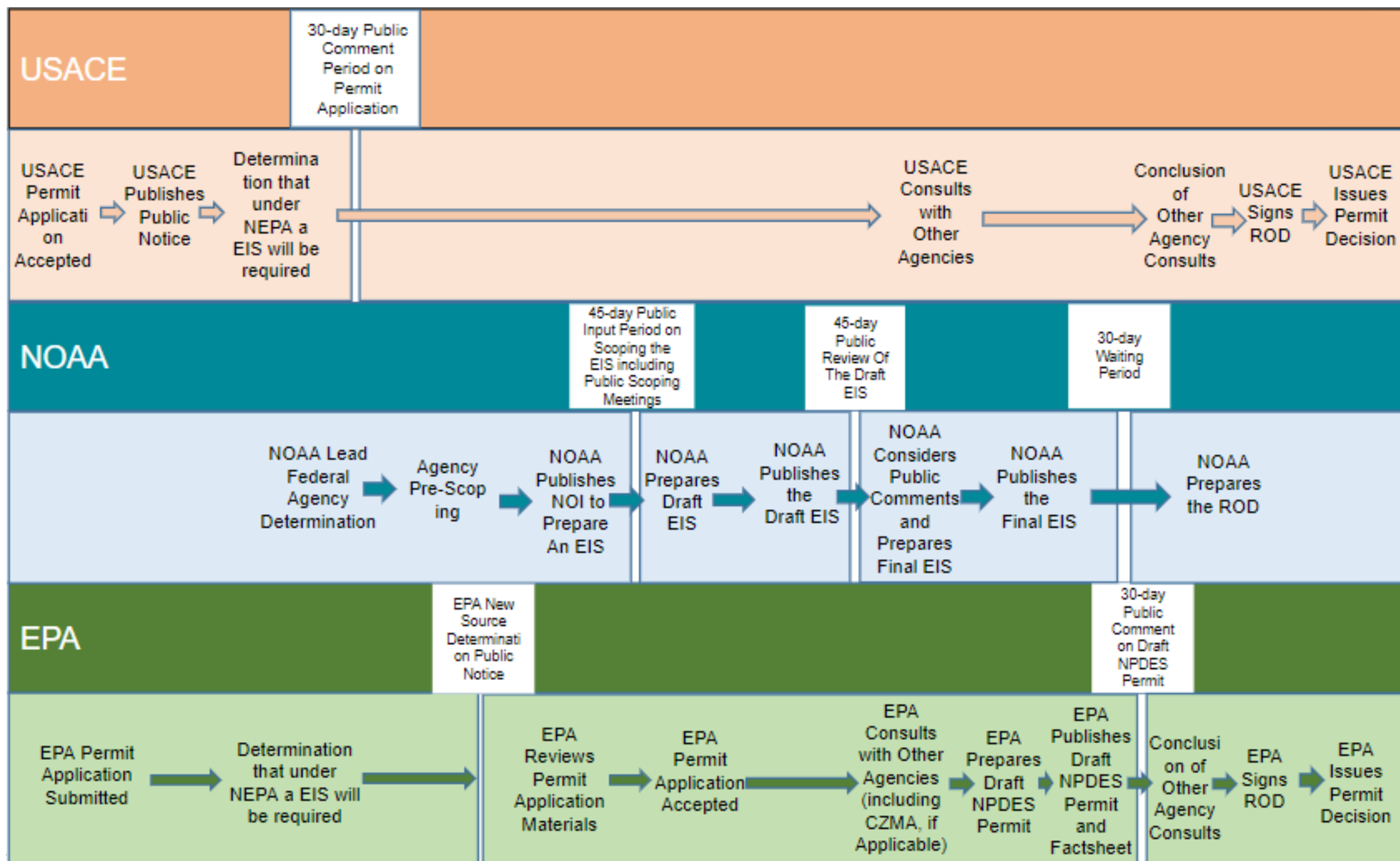
- **Monitoring** measures initially considered but deemed not necessary for this action:
 - Exempt from SBRM – finfish bycatch not expected; protected species monitoring part of other federal agencies; no requirement to carry observers
 - Exempt from VMS requirements – tracking vessel position, relation to area closures not important; vessels are not fishing
 - NOAA/NEFMC don't regulate AIS so no explicit AIS requirements
- **Annual reporting** also considered but:
 - Included within other agencies permit conditions
 - E.g., fish escapement, water quality events exceeding NPDES thresholds, source of salmon, methods to distinguish wild from farmed, enforcement violations, etc. all covered by other agencies permits

Affected Environment Outline

1. Atlantic salmon: stock status, state, federal, and international management
2. Finfish aquaculture: permitting process, pathogens/related issues of concern, monitoring/enforcement/reporting
3. Commercial fisheries
4. Other managed and ecosystem component species
5. Other protected species
6. Physical environment, EFH
7. Human communities

Individual project permitting

- Project pre-application phase, EFH, other consultations
- Council will use the 2020 Aquaculture Policy as basis to relay concerns about potential project impacts
- **Agencies involved:**
 - NOAA Fisheries, EPA, Army Corps of Engineers, US Fish and Wildlife, etc.
- **Issues of concern to be addressed through consultations:** siting/spatial planning, habitat/fisheries impacts, water quality, genetics/source of farmed salmon, emergency response plans, etc.



Salmon Aquaculture Framework Timeline

2022	
AUG	Committee discusses possibility of initiating Atlantic salmon framework action to authorize salmon aquaculture
SEP	PDT begins background work
SEP	NEFMC initiates Atlantic salmon framework action
OCT	PDT discusses scope of framework including background information and type of impact analyses required for action
NOV	Advisory Panel, Committee meet to discuss development of alternatives
DEC	Council update, PDT continues development
2023	
JAN	PDT meets to continue development, Committee meeting?, Council update
FEB-MAR	PDT finishes drafting framework, Committee recommends preferred alternatives
APR	NEFMC final action
MAY	Formal submission
TBD	Target implementation

2023 Habitat Actions

Revising Northern Edge HMA
EFH Review

2023 Habitat Priorities

1. Complete salmon aquaculture authorization framework
2. Begin EFH review
3. Develop an action to consider habitat management & scallop access on the Northern Edge of Georges Bank
4. Habitat/fishery related comments on non-fishing activities:
 - Offshore wind, aquaculture, cable projects
5. Participate in RODA/ROSA activities; collaborate with NMFS/others
6. Participate on ASMFC habitat committee

Northern Edge

- Will consider revisions to Habitat Management Area and development of rotational access program
- Coordinated through the Habitat Committee, involving various Council PDTs, Committees, and Advisory Panels as needed for individual or joint meetings
- Staff coordination has begun; will begin planning in earnest this winter
- New quick link: <https://www.nefmc.org/library/northern-edge>

Essential Fish Habitat Review

- Will consider revisions to Essential Fish Habitat designations
- First, update methods, working through one or two pilot species
- Then, plan for completing remainder of review
- Expect to rely heavily on Northeast Regional Habitat Assessment project data sets and products, including species distribution models
- Will coordinate with MAFMC, as they are also completing an EFH review, especially on methods development