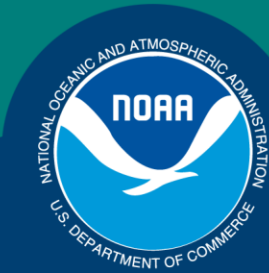


*Science, Service, Stewardship*



# **Interagency Processes & Guidance Documents for Aquaculture in the Gulf of Mexico**

July 14, 2019

**NOAA  
FISHERIES  
SERVICE**



# Overview

- NOAA's role in federal waters
- Coordinated interagency process
- Guidance documents for GoM aquaculture



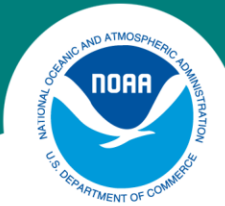
## NOAA's role

- Final rule implementing Gulf Council Aquaculture FMP
  - Published final rule January 2016; lawsuit February 2016
  - Eastern District of Louisiana decision in Sept 2018
    - NOAA does not have authority to regulate aquaculture under the Magnuson-Stevens Act
  - NOAA appealed June 2019; decision expected in 2020
- NOAA conducts Endangered Species Act and Essential Fish Habitat consultations for aquaculture projects.
- NOAA works with other federal agencies (EPA, Corps) to coordinate and streamline permitting processes.



# Interagency Process

- Gulf Regulatory Task Force (2014)
- Created a coordinated federal permitting process for the GoM, i.e., align processes and reduce duplicative requirements
- Federal permitting, consulting and authorizing agencies involved in aquaculture
  - NOAA Fisheries, Corps, EPA, BOEM, BSEE, USFWS, Coast Guard, USDA, Air Force and Navy



## Interagency Process

- EPA is currently leading environmental analyses, consultation requests and other regulatory requirements (Section 106 National Historic Preservation Act) for aquaculture projects in the eastern GoM
  - NOAA Fisheries and Army Corps are cooperating agencies on these two projects
- No projects in federal waters of the western GoM



## Interagency documents

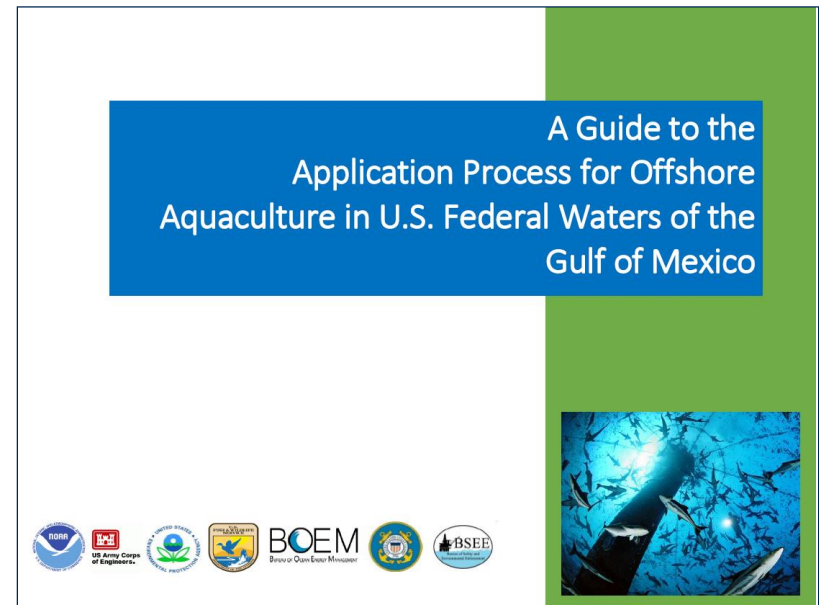
- Permit Applicant Guide – quick guide for federal permitting and authorization processes
- Pre-Application Meeting – first step for potential applicants; meant to identify potential issues with project (e.g., site selection)
- Interagency MOU – outlines agency responsibilities in federal waters

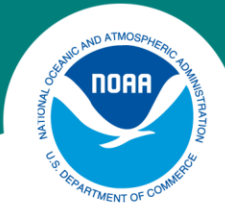
*\*\*\* Documents currently being revised \*\*\**



# Permit Applicant Guide

- Outlines federal permitting and authorization requirements
- Summarizes Federal agency statutory and regulatory authorities
- Links to Federal agency websites and resources
- Contact information for each Federal agency





# Pre-Application Meeting & Checklist

- **Pre-Application Meeting (*optional*)** is an opportunity for potential applicants to engage in preliminary discussions with the relevant federal agencies.
  - Location of proposed site and general info for operation
  - Identify potential issues prior to applying for federal permits
- A checklist has been created which outlines important information to provide to Federal Agencies in advance of the Pre-Application Meeting.
- The NOAA Regional Aquaculture Coordinator is the point of contact for the Pre-Application Meeting process.





# Interagency MOU

- Establishes a framework for cooperation and information sharing across agencies.
- Establishes the intent to periodically update guidance materials.
- Establishes the intent to coordinate and participate in the pre-application process, coordinate on consultation processes, coordinate public comment periods, etc. as appropriate and practical.





# GoM Guidance Documents

- Baseline Environmental Survey (2016; being revised)
  - EPA and NOAA Fisheries requirements
- Structural Integrity guidance (2019)
  - Developed with marine engineering experts from the U.S. Naval Academy, state and federal agencies
- Under development – recommendations for creating an Aquatic Animal Health Plan
  - NOAA, USDA APHIS



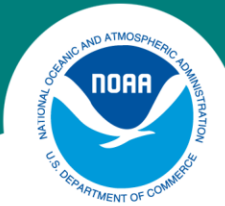
# Baseline Environmental Survey

- Both NOAA and EPA have requirements to ensure that operations are properly sited and that proposed activities do not cause degradation of natural resources.
  - *Seafloor Survey*
  - *Hydrographic Measurements*
- BES information will be used to determine whether particular features exist in the proposed area and what measures must be taken to protect natural resources.



## Structural Integrity

- Ocean engineering guidance document aimed at providing potential applicants with information for installing aquaculture operations out to 200 nautical miles in the GoM.
- Provides recommendations for Basis-of-Design, including engineering criteria, techniques, reasoning and decisions employed to develop an aquaculture system in the offshore environment.



## Contact information

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# Questions?