Excerpt from Gulf Council's Aquaculture FMP see this link/page 65 of FMP
http://gulfcouncil.org/wp-content/uploads/Aquaculture-FMP-PEIS-Final-02-24-09.pdf

---

4.6 Action 6: Marine Aquaculture Siting Requirements and Conditions

Alternative 1: No Action, do not designate areas in the Gulf of Mexico EEZ where aquaculture would be allowed. The ACOE would permit sites for aquaculture. NOAA Fisheries Service and the Council would continue to review and comment on ACOE siting permits.

Alternative 2: Establish marine aquaculture zones within which individual sites would be permitted. Marine aquaculture facilities may only be sited in the zones specified in Figure 4.6.1. Coordinates for these areas are specified in Table 4.6.1.

Preferred Alternative 3: Establish the following criteria for siting marine aquaculture facilities:

(a) Prohibit marine aquaculture in Gulf EEZ marine protected areas and marine reserves, Habitat Areas of Particular Concern, Special Management Zones, and permitted artificial reef areas as specified in 50 CFR 622, and coral reef areas as defined in 50 CFR 622.2.

(b) No offshore aquaculture facility may be sited within 1.6 nautical miles (3 km) of another offshore aquaculture facility.

(c) To allow fallowing and rotation of allowable aquaculture systems within a site permitted by the ACOE and approved by NOAA Fisheries Service, the permitted site must be at least twice as large as the combined area encompassed by the allowable aquaculture systems (e.g., cages and net pens).

(d) Applicants for a Gulf Aquaculture Permit must conduct and submit a baseline environmental assessment of the proposed aquaculture site to NOAA Fisheries Service with their application packet. Data, results, and analyses from the baseline environmental assessment must be provided to NOAA Fisheries Service for consideration during review of a permit application. The baseline environmental assessment must be conducted, and analyses, data, and results must be summarized, based on guidance and procedures specified by NOAA Fisheries Service. If a permit is approved, applicants must also monitor the site in accordance with NOAA Fisheries Service guidance and procedures.

Baseline environmental assessment and monitoring guidance and procedures will be developed in consultation with the ACOE, EPA,

and other federal agencies having authority to regulate offshore aquaculture. Guidance will include, but will not be limited to, procedures and methods for: 1) conducting diver and video surveys, 2) measuring hydrographic conditions, 3) collecting and analyzing benthic sediments and infauna, and 4) measuring water quality characteristics. The guidance and procedures will be available from the RA and on the NOAA Fisheries Service aquaculture website.

(e) **The NOAA Fisheries Service RA will evaluate siting criteria in addition to those preferred criteria selected by the Council in Alternative 3(a-d) on a case-by-case basis. Criteria considered by the NOAA Fisheries Service RA during case-by-case review would include,** but would not be limited to, depth of the site, current speeds, substrate type, the frequency of harmful algal blooms (HAB) or hypoxia at the proposed site, marine mammal migratory pathways, and **the location of the site relative to commercial and recreational fishing grounds** and important natural fishery habitats (e.g., seagrasses). **The NOAA Fisheries Service RA may deny use of a proposed aquaculture site based on a determination that such a site** poses significant risks to essential fish habitat, endangered species, or threatened marine species, **will result in user conflicts with commercial or recreational fishermen or other marine resource users**, the depth of the site is not sufficient for the allowable aquaculture system(s), substrate and currents at the site will inhibit the dispersal of wastes and effluents, the site poses significant risks of mortality to the cultured species due to low dissolved oxygen or HAB, or other grounds inconsistent with FMP objectives or applicable federal laws. **The information used by NOAA Fisheries Service for siting a facility with regard to proximity to commercial and recreational fishing grounds would include, but is not limited to, electronic logbooks from the shrimp industry**, logbook reported fishing locations, siting information from previously proposed or permitted aquaculture facilities, and other data that would provide information regarding how the site would interact with other fisheries. Such a determination by the RA shall be based on consultations with NOAA Fisheries Service offices and programs and siting and other information submitted by the permit applicant. If a proposed site is denied, the RA shall provide the determination and the basis for it, in writing to the permit applicant.