

Habitat Protection and Restoration Committee Report
June 21, 2022
Mr. Bob Gill, Chair

The Committee adopted the agenda (**Tab P, No. 1**) and approved the minutes (**Tab P, No. 2**) of the January 2022 meeting as written.

Essential Fish Habitat Generic Amendment (Tab P, No. 4a-e)

Council staff provided a presentation on an essential fish habitat (EFH) document development rationale, current draft options, conceptual overview and assumptions of the proposed modeling options, and next steps for the Committee to consider. The Committee discussed the various proposed modeling methodologies. A Committee member inquired whether other regional Councils use differing methods for describing EFH for their managed species and Council staff indicated that does occur in a few regions.

The Committee also discussed workload for the proposed alternatives and Council staff indicated work could be completed for all four options, as only a small subset of species had enough data available to implement the more technical approaches. Mr. David Dale from the NOAA Habitat Conservation Division indicated that EFH descriptions should be consistent with the best scientific information available, so considering alternative modeling approaches would be appropriate to better refine descriptions of EFH. It was requested that some additional information on the three options proposed under Alternatives 3 and 4 be provided along with continuing work on a webtool to better visualize spatial data layers and provide comparative maps of the various model outputs. NOAA General Counsel reminded the Committee that rationale for alternative selection will need to be provided for describing EFH. The Committee stated that for species and life stages where there is not data available to implement Alternatives 3 and 4, that Alternative 2 be selected in those cases. For relatively more data-rich species and life stages, a determination will be made in the future after review of the decision webtool by the Scientific and Statistical Committee and Council.

Results of the Aquaculture Opportunity Areas Atlas for the Gulf of Mexico (Tab P, No. 5)

Mr. Andrew Richard from the Southeast Regional Office, provided results of the Aquaculture Opportunity Area (AOA) Atlas for the Gulf of Mexico (Gulf). A Council member asked whether distance from shore, which would allow for processing of harvest, had been accounted for when selecting sites, and Mr. Richard indicated that it was. A Committee member inquired if the selected sites presented were located in the same place as those presented to the Shrimp Advisory Panel (AP) in December 2021 and Mr. Richard indicated that they were. Mr. Richard was asked what determination would be made if an AOA site was also deemed appropriate for an offshore energy installment. Mr. Richard indicated that depth requirements for anchoring structures was different for aquaculture farms and offshore energy platforms, including wind, which limited spatial overlap. A Committee member cautioned that limiting wild fleet efforts for aquaculture development did not achieve objectives associated with bolstering domestic fish production and should be avoided. Mr. Richard indicated that shrimp trawling and commercial reef fish fishing effort had been accounted for when building the Atlas, but he would have to

inquire whether other fisheries data had been included. He also added that while AOAs in state waters were also to be considered, the current AOA Atlas was focused on federal waters.

Notice of Intent to Prepare a Programmatic Environmental Impact Statement for Aquaculture Opportunity Areas in the Gulf of Mexico (Tab P, No. 6a-d)

Following the development of the AOA Atlas, a Notice of Intent has initiated a Programmatic Environmental Impact Statement for AOAs and an associated scoping period has been scheduled. Mr. Richard was asked if the Atlas was a dynamic output where AOA sites may be modified as offshore energy platforms are removed. Mr. Richard indicated that the Atlas was a snapshot in time; however, as aquaculture operations are added they will be required to consider the same factors as used to build the Atlas. A Committee member provided an illustration showing high fishing effort within AOA site C-11, and indicated that location should be modified to avoid placing an aquaculture farm within a high effort shrimp trawling area. Public comment will be open through August 1, 2022.

Update on Ocean Era and Manna Fish Farms Projects (Tab P, No. 7)

Mr. Richard provided updates on existing aquaculture projects in the Gulf and an upcoming research study for an Integrated Multi-Trophic Aquaculture (IMTA) demonstration project. Given the amount of input for shrimp trawling effort, a Committee member requested that Council staff work on providing analogous information to an AP with longline representation to allow those stakeholders to provide comment. A Committee member asked if restrictions from COVID safety implementations created the four-year process timeline for permitting the Ocean Era project, and Mr. Richard indicated delays were largely attributable to COVID protocols. In his presentation Mr. Richard had provided an example from the northeast region of an IMTA which focused on steelhead trout, a non-native species. Mr. Richard was asked to verify that only native species were being considered for IMTA in the Gulf, and Mr. Richard stated that was correct. He was also asked about red tide events, and Mr. Richard replied that each aquaculture participant was required to develop an emergency or best practice plan for environmental disaster events before deploying aquaculture installations. A Committee member asked if the Atlas and other resources regarding aquaculture are available to the public. Mr. Richard indicated the Atlas was available for public view, and that NMFS was developing dedicated webpages for these projects.

A Committee member asked if fish harvested from an aquaculture program would have the same requirements for sale as those applied to commercial fishermen and seafood dealers. Ms. Levy reminded the Committee that a court ruling had determined that NMFS and the Council did not have the authority to regulate aquaculture harvest in the Gulf. However, NMFS is consulted when siting aquaculture projects and provides comments during that process.

America the Beautiful 30x30 CCC Area-based Management Subcommittee Update Mexico (Tab P, No. 8a)

Dr. John Froeschke provided a verbal update on the recently published Evaluation of Conservation Areas in the U.S. EEZ. Dr. Froeschke was asked if an official standardized

definition of “conservation” had been communicated to the area-based management Committee (Committee). He replied that the Committee had been told that definition would be a higher-level policy decision and the Committee was still awaiting that guidance; however, the subcommittee had proposed its own definition to complete the report. A Habitat Protection Committee member argued that the Council has already established spatially explicit conservation and management measures and the entire U.S. EEZ should be considered as conservation area. Dr. Froeschke indicated that perspective has been discussed within the area-based management Committee but that a formal determination about the areas identified as conservation areas is outside the purview of this Committee.

Mr. Chair, this concludes my report.