



Tab A , No. 8

Brief Overview of the Gulf Aquaculture FMP and Final Rule



1. Permit Requirements, Eligibility, and Transferability

- Gulf Aquaculture Permit (GAP) required to operate and sell
 - Cultured fish must first be landed at a U.S. port
 - All vessels, aircraft, or authorized vehicles used in operations must have a copy of the permit onboard
- Eligibility requirements
 - U.S. citizens and permanent resident aliens
 - Transferrable as long as site remains the same and all requirements satisfied/up-to-date
- Only allowable aquaculture species (Action 4)

2. Application Requirements, Operational Requirements, and Restrictions

- Application must include:
 - description of equipment, gear stowage and modifications
 - evaluation of the system to withstand physical stress
 - GPS coordinates of site,
 - assurance bond documentation,
 - emergency disaster plan
 - certification that brood stock are from federal waters of the Gulf and are not genetically engineered or transgenic
- Must comply with other regulatory requirements such as those of the USDA, FDA, EPA, etc.

3. Duration of Permit

- 20 permits can be issued
- Valid for 10 years
- 5-year renewals

4. Species Allowed for Aquaculture

- Allows the culture of native, non-genetically engineered and non-transgenic Council managed species
- Prohibits shrimp and coral aquaculture
- Only federally managed species

5. Allowable Marine Aquaculture Systems

- NOAA will evaluate each facility on a case by case basis to allow for flexibility
 - Evaluations will include analysis of:
 - Risk to EFH
 - Risk to threatened/endangered species
 - Risk to wild fish stocks
 - Risk to public health and safety

6. Marine Aquaculture Siting Requirements and Conditions

- None allowed in MPAs, Marine Reserves, HAPCs, SMZs, permitted artificial reef areas, and coral reef areas in Council's jurisdiction
- Must have a baseline environmental survey
- Site must be 2X larger than the actual area encompassed by systems
- Sites must be at least 1.6 nm apart
- Site can be denied if proposed system poses a significant risk or results in user conflicts

7. Restricted Access Zones

- Each facility will have a restricted zone based on the coordinates in the ACOE section 10 permit
- No fishing may occur in restricted access zones
- No fishing vessels may operate in or transit through the zone (unless they have a copy of the facility's aquaculture permit on board)
- Zone must be marked at each corner with a floating device

8. Recordkeeping and Reporting

- Outlines recordkeeping and reporting requirements for: escapement, entanglements, interactions with marine species and migratory birds, pathogens, disease, brood stock harvest, and law enforcement requirements
- Must maintain reports and sale records for the most recent three years

9. Biological Reference Points and Status Determination Criteria

- Set the proxy MSY and OY at 64 million pounds
 - Can be changed by framework
 - Will be reviewed by the Aquaculture AP
 - No individual, corporation, or other entity can be permitted to produce more than 20% of OY

10. Framework Procedure

- Establishes the role and makeup of the Aquaculture AP
- Items that can be adjusted through framework are:
 - MSY and OY
 - Application and operational requirements/restrictions
 - Siting and system requirements
 - Recordkeeping and reporting requirements

Brief overview of Gulf Aquaculture Permit (GAP) Process **not all inclusive*

- Permit must be received 180 prior to permit effective date
- RA decides if it is appropriate
 - No, applicant has 60 days to correct deficiencies
 - Yes, publish notification of receipt and opens a comment period (45 days). RA may consult with Council
- SERO reviews comments
- RA notifies application of decision and publishes FRN
- SERO RA contacts EPA and USACOE to ensure applicant has received other federal permits (GAP is not issued if other permits have not been secured)
- SERO RA issues permit
 - Permittee may request SERO delay permit issuance for up to 2 years but may not engage in activities which would require a GAP permit
- GAP Permittees must abide by all requirements outlined in GAP
- Violation of permit terms or regulations may result in revocation or suspension of GAP

Council Steps

- Council will appoint an Aquaculture AP
 - Meet at least bi-annually
 - Evaluate the aquaculture management program
 - Composed of Council staff, NMFS staff, SSC members (including Socioeconomic SSC) and other state, university or private scientists with expertise related to aquaculture
 - AP role is prescriptive
 - Provides a written report and rationale for any recommended changes

Council Steps

- AP role is prescriptive
 - Production levels relative to MSY and OY, status of adverse affects to wild stocks, marine mammals, protected resources, EFH, and other managed resources from aquaculture
 - Economic and social considerations of aquaculture relating to Gulf fishing communities
 - Review management measures regulating aquaculture that may be needed or may need to be changed