

**Potential Aquaculture Issues to be Considered  
by Regional Fishery Management Councils and States**

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1. Council Role - what role will Regional Fishery Management Councils (Councils) play in permitting and in decisions about species to be farmed?
2. Transparency - will aquaculture permitting and specific site plans receive the same transparent process as required under the MSA?
3. \*Scientific review - will there be any review by the Councils' SSCs or any similar scientific review body?
4. Economic Impact – what will be the economic impact on commercial fisheries, fishery-dependent communities, coastal communities, working waterfronts, and other related businesses of farmed fish? Socio-economic review is required under MSA.
5. Market Impacts – what are the likely market impacts of aquaculture species on commercial fisheries, will there be a required review of these impacts, and what entity will do the review?
6. Species Selection - what species could be permitted for offshore aquaculture? Will there be an attempt to limit competition with wild harvest? What entity will make this determination?
7. Conflicts with fishing grounds – what are the potential conflicts between permitted offshore aquaculture facilities and traditional fishing grounds and what entity will be doing the review?
8. Habitat Conflicts – what are the likely potential conflicts between permitted offshore aquaculture facilities on essential fish habitat (EFH) and habitat areas of particular concern (HAPC) identified under FMPs? How will changes to EFH and HAPCs developed by Councils be imposed on offshore aquaculture facilities and activities.
9. Species – indigenous only? Species with direct competition with wild harvest? Who decides?
10. Effects of escapes on wild harvest – liability? Compensation?
11. Size/Season – what effect will the differences between Council developed size/season regulations have on MSA or State managed species (primarily an enforcement issue, but could also have an impact on market impacts of wild-caught species)? If differences, how will aquaculture species be monitored and tracked?
12. State landing laws – how will aquacultured species be tracked/documentated by States and how will size/season differences be meshed with State landing laws?

13. Brood stock – what will brood stock collection impacts have on managed species? Would juveniles be removed from the wild population for propagation? What impacts might this have on managed species? Would adults be removed for brood stock purposes or for fattening/ranching purposes and, if so, how would this be permitted and what effect would this have on conservation and management measures under MSA (particularly ACLs and AMs and potential for overfishing and/or triggering overfished condition? What impacts might this have on rebuilding requirements under MSA?
14. Impacts on marine mammals – many commercial and recreational fisheries operate under Take Reduction Team restrictions. In addition, many fisheries may be near limits on “takes” of marine mammals under PBR and ZMRG provisions of the Marine Mammal Protection Act. What impact will “takes” of marine mammals by offshore aquaculture facilities and offshore aquaculture activities have on commercial and recreational fisheries managed under the MSA?
15. Impacts on birds - there is also a similar concern about impacts of aquaculture facilities on birds under the Migratory Bird Treaty Act and other listed bird species and the potential impacts on the wild harvest as a result of aquaculture “takes”.
16. Jones Act/Coast Guard vessel permitting rules – the commercial fishing industry is required to meet U.S. ownership, U.S. ship building, U.S. manning requirements, etc. Will aquaculture facilities (ownership, cages, supply and transport vessels, etc.) and activities be required to meet the same requirements?
17. Consistency with State fishery management plans? State concurrence with siting plans?
18. Fees – who pays, how much, what are acceptable uses of fees? Can States charge landing fees as they do on wild-harvest fish?

Other questions:

19. The U.S. seafood trade deficit is heightened by U.S. wild-harvest fish harvested under the MSA being shipped out of the U.S. for secondary processing and returned as a higher value processed product. How can this aspect of the seafood deficit be mitigated?
20. How will NEPA review be conducted? Overall permitting process and/or each facility permit?
21. Labeling differences between wild and aquaculture products – organic label available? “Product of ---- (insert state name)”?
22. Are there current genetic standards for hatcheries and if so would these be applicable to offshore aquaculture facilities?
23. Should there be separate Federal funds made available for the marketing of aquaculture products?