# ECOSYSTEM ADVISORY SUBPANEL REPORT ON EXECUTIVE ORDER 13921: PROMOTING AMERICAN SEAFOOD COMPETITIVENESS AND ECONOMIC GROWTH – FINAL RECOMMENDATIONS

The Ecosystem Advisory Subpanel (EAS) reviewed and discussed Executive Order 13921 Promoting American Seafood Competitiveness and Economic Growth (EO) especially as it relates to ecosystem considerations. Rather than recommending specific actions, the EAS is offering comments for the Council to consider as it reviews specific recommendations from other advisory groups and the public.

Overarching comments:
The EAS recognized the breadth and diversity of elements contained in this EO. The EAS questioned the inclusion of both wild-capture fisheries and aquaculture in a document that is heavily focused on facilitating offshore aquaculture.
The EAS:

- noted the trade-offs between increasing aquaculture production and increasing fisheries production, and questioned whether these could be managed for mutual benefit, or whether one imposed costs on the other or resulted in unintended consequences;
- questioned whether sufficient emphasis was placed on the importance of revitalizing seafood production, including support for building the next generation of fishers;
- noted concern that prioritizing efficiency over sustainability could remove safeguards for fisheries and ecosystems;
- suggested that many other factors in addition to regulations need to be considered to improve American Seafood Competitiveness; Market mechanisms to impact consumer preferences and shifting international trade policies may strengthen the success of America's seafood industry;
- noted the risk imposed by removing individual regulations without considering them in the broader context of associated regulations;
- were concerned that the consolidation of responsibility to the national level may erode the review process leading to non-sustainable implementation/outcomes; and
- suggested that the implementation of the EO could be strengthened by ensuring that management is based on the best available science, as currently used to guide the Pacific Fishery Management Council. Some evaluation criteria to consider include: a) the impact on forage species important to the viability of fisheries; b) ecosystem resilience to climate change and other influences; and c) adaptive management procedures.

Specific comments:
Section 1. Purpose
The EAS

- commented that changes to fisheries regulations could be appropriate in some cases;
- was supportive of strengthening efforts to combat illegal, unreported, and unregulated fishing; and
- questioned the need to improve the transparency and efficiency of environmental reviews. Environmental review processes currently require a high degree of transparency and

increased efficiency could reduce the efficacy and long-term sustainability of fisheries ecosystems.

Section 2. Policy
No comment.

Section 3. Definitions
No comment.

Section 4. Removing Barriers to American Fishing
The EAS

- especially encourages updating regulations of fisheries that have adapted technologies to limit environmental impact, including bycatch, and remain burdened by previously important regulations that are no longer needed. One example is that bycatch removal devices have replaced the need for observers on shrimp trawl vessels; removing the requirement for Federal fisheries observers on shrimp trawl vessels would reduce the burden on the shrimp fleet and does not impact the sustainability of the fishery or ecosystem.
- noted that, in light of rapid climate change, recommend a more efficient approval and permitting of exempt fishing permits to innovate, test, and adopt new approaches to sustainable fishing;
- noted the potential for cross-sector fisheries management opportunities to create more productive fishing opportunities for fishing communities; and
- suggested that potential opportunities to remove impediments be referred to advisory bodies with specific fisheries expertise.

Section 5. Combating Illegal, Unreported, and Unregulated Fishing
No comment.

Section 6. Removing Barriers to Aquaculture Permitting
The EAS

- questioned the feasibility of "a proposed United States Army Corps of Engineers nationwide permit authorizing finfish aquaculture activities in marine and coastal waters out to the limit of the territorial sea and in ocean waters beyond the territorial sea within the exclusive economic zone of the United States." The diversity of aquaculture species and methods coupled with the diversity of habitats in U.S. waters would seem to require more specificity than might be achievable with a single nation-wide permit. Because ecosystem dynamics vary greatly on a regional basis, how does a national Army Corp of Engineers permit address regional differences? Sound ecosystem analyses require consideration of regional factors.
- asked whether the effort to increase the efficiency of aquaculture permitting could threaten existing environmental protections.
- commented that the evaluation of proposed changes to aquaculture permitting cannot be made without knowing the intended species and methods of culture, given the diversity of each. This is especially important as the Council considers the potential impacts of farmed species on wild species.

Section 7. Aquaculture Opportunity Areas (AOAs)
The EAS

- identified a significant need to distinguish between aquaculture of native to the California Current Ecosystem (CCE) versus non-native species. The escape of non-native species from aquaculture could have significant and irreversible impacts on the West Coast fisheries and CCE;
- asked how fisheries and aquaculture endeavors interact in positive and negative ways, and what the implications were for sustainable fisheries;
- commented on the differential impacts of land-based versus in-water aquaculture systems and multi-species aquaculture;
- caution that the deleterious impacts of aquaculture are a function of density and that this is an important factor in siting, especially within an AOA approach;
- identified that multiple operators in close proximity can reduce the ability to quantify the ecosystem impacts of the approaches used. This reduces the information gained from exploratory aquaculture methods and sacrifices accountability in the case of ecosystem impacts.
- noted evidence, in British Columbia, of disease transmission from finfish aquaculture to native and wild fish species resulting in impacts to wild-capture fisheries;
- noted the threat of genetically modified organism aquaculture to fisheries ecosystems;
- asked about the feasibility and benefits of pairing aquaculture siting with wind energy siting;
- asked how the AOAs in the Southern California Bight were selected, what was the foundation for setting the total number of AOAs at 10 (2 now and 2 each of next 4 years), and whether this is based upon scientific assessments of the capacity of Federal waters for aquaculture. How will the species ultimately be chosen for aquaculture match the area preemptively set aside for the AOAs?
- noted a large number of competing and conflicting uses already existing in the Southern California Bight.

Section 8. Improving Regulatory Transparency for Aquaculture
No Comment.

Section 9. Updating National Aquaculture Development Plan
No Comment.

Section 10. Promoting Aquatic Animal Health

- EAS members asked about the reasons for terminating the 2008 National Aquatic Animal Health Plan and noted the risk imposed in doing so prior to the formulation of a new National Aquatic Animal Health Plan.

Section 11. International Seafood Trade
No Comment.

Section 12. General Provisions
No Comment.