

Minutes
Scoping Hearing for
Generic Amendment for Management of Offshore Marine Aquaculture
J. L. Scott Marine Education Center
Biloxi, Mississippi
February 18, 2004

ATTENDEES: 4 PERSONS:

Council:

Kay Williams, Chairman
Wayne Swingle
Kathy Conlon

Phil Horn Clark Seafood Co., Inc.
Jude LeDoux Mississippi DMR
Tom McIlwain Gulf Coast Research Laboratory
LaDon Swann Director, Mississippi/Alabama SeaGrant Consortium and
..... President Elect of the U. S. Aquaculture Society

Chairman Williams called the meeting to order at 6:00 p.m.

Chairman Williams inquired if there were any objections to forgo the presentation on Amendment for Limiting Access in the Commercial Reef Fish and King Mackerel Fisheries and moved to the presentation of Generic Amendment for Management of Offshore Marine Aquaculture.

Mr. Swingle presented the Generic Amendment for Management of Offshore Marine Aquaculture.

BRIEFING ADDITION

Dr. McIlwain stated that the Gulf Coast Research Laboratory wished to thank the Council for the continuation of the development of the Amendment for Offshore Aquaculture and encouraged the further development of the Amendment. He further stated that it was very important that a set of rules and regulations are developed to allow the Aquaculture industry to develop. He further added that it was inevitable that the Aquaculture industry was going to develop and that the Gulf Coast Research Laboratory would prefer the development fashioned in an orderly manner. He noted that the Amendment to the FMPs provided the necessary means for establishing a regulatory environment under which the industry can develop. **Dr. McIlwain** reported that his organization did not desire to comment on specific alternatives at the present time and would wait until the process proceeded to the development of the Amendment.

Mr. Swingle offered to e-mail a copy of the document and requested that any changes are returned to the Council by March 5, 2004, for presentation to the Council during the March Council Meeting.

Dr. Swann, Director of Mississippi/Alabama SeaGrant consortium, reported that he supported the Amendment and confirmed that there was great interest in growing fish in the EEZ and that several applications had been submitted. He further added that an application received through the Offshore Aquaculture Consortium, located at the University of Southern Mississippi, did receive the necessary permits. He noted that an Amendment allowing the flexibility to grow fish in the EEZ was essential for the fishing industry to move forward and complimented the authors of the document as being very thorough and attainable. **Dr. Swann** reported that his original concerns were with monitoring and record keeping. He added that he did have a concern regarding the distance of the monitoring stations to the cage and suggested that the distance of the monitoring stations to the cage be extended. of the monitors to the cage and suggested that the distance of the monitor stages to the cage be extended.

Meeting adjourned at 6:45 p.m.

Minutes
Scoping Hearing for
Generic Amendment for Management of Offshore Marine Aquaculture
Moody Gardens Hotel
Galveston, Texas
Tuesday, February 24, 2004

ATTENDEES:

8 members of the public attended

Council:

Irby Basco
Rick Leard
Lorna Evans

Linda Butler Texas Parks & Wildlife Dept., Dickinson, Texas
Jan Culbertson Texas Parks & Wildlife Dept., Dickinson, Texas
Phillip Lee University of Texas Medical Branch, Galveston, Texas
Mark Muhich Sierra Club, Galveston, Texas
Ralph Rayburn Texas SeaGrant Program, College Station, Texas

Mr. Basco called the meeting to order at 6:30 p.m.

Dr. Leard presented the Generic Amendment for Management of Offshore Marine Aquaculture.

Dr. Lee stated that he has been an aquaculture scientist for 25 years. He entered two documents into the record: "Development of an Integrated Offshore Mariculture Project for Marine Finfish and Oysters in the Gulf of Mexico" (**Attachment 1**). He believed the one-year time span for the permit was totally inadequate and did not allow the applicant enough time to get financially prepared. He disagreed with the requirement for excessive reports and duplication in permitting by NMFS and the EPA. He felt the Council should include brood stock management into the mariculture permit. He commented that there was a conundrum of genetic diversity and pointed out that the fingerprinting of stocks was expensive. He stated that one section of the document encouraged genetic diversity and in another section of the document genetic diversity was discouraged. He questioned ensuring disease-free hatcheries and disease-free fish when those fish were taken out of the environment as brood stock, grown in a hatchery then put back in the environment. The diseases that were in the environment would be in the cages when the fish were put back in the cages. He felt a more logical system would be to make the fish pathogen free, for specific diseases, during the hatchery and brood stock phases of growth. This would

BRIEFING ADDITION

indicate which pathogens were most harmful. He was opposed to the specific proposals that were presented for mariculture but not commercial fishing or commercial activities, i.e., not being able to fish from the barge on an individual's personal time. He felt some of the alternatives would add numerous expenses to an already expensive endeavor. He disagreed with the requirement of having an environmental assurance bond for the aquaculture industry since the commercial fishermen had not been required to put up such a bond 50 years ago. He agreed with the idea of setting up zones exclusively for aquaculture and staying away from the most sensitive habitats in the Gulf. He also agreed with including commercial species as the brood stocks to start with. He commented that the Gulf had a more diverse range of species and would be a good place to begin the mariculture industry.

Mr. Basco asked if oil and gas platforms would be a good site for an aquaculture pen.

Dr. Lee responded that there was a non-profit organization called the Gulf Marine Institute for Mariculture that he had worked with and it was determined that the oil and gas platforms were an excellent place for the aquaculture pens.

Mr. Basco commented that he had not found any insurance company that had assurance bonds for this type of endeavor.

Dr. Lee responded that GMIT already had a bond on its platform and had offers from Lloyds of London and other international insurance companies to be covered. Again he asked if any of the commercial fishermen were required to be bonded.

Mark Muhich felt it was important to figure out why the existing stocks were collapsing. He stated that the management measures implemented by NMFS were failures and he believed alternative sources for fish protein should be researched. He questioned how enforcement would work and if there would be any taxes or costs initiated to fund this project. He was opposed to the introduction of engineered, altered, or exotic species into the Gulf. He felt the brood stocks should consist of indigenous species to the area. He suggested that a research facility be set up to determine whether the best management practices were implemented and this should be funded by the federal government. He questioned how dolphins would be kept out of the pens and whether the individuals in charge of the pens would be allowed to kill any species that tried to penetrate the pens. He discouraged lowering the standards of water quality and asked that these standards be of the highest quality.

Meeting adjourned at 7:30 p.m.

Minutes

Generic Amendment for Management of Offshore Marine Aquaculture

Holiday Inn Beachside

Key West, Florida

March 1, 2004

ATTENDEES: 51 PERSONS:

Council:

Roy Williams, Chairman

Wayne Swingle

Kathy Conlon

William Arnold.....Commercial Fishery
Peter Bacle.....Stock Island Lobster Co.
Peter Gladding.....Commercial Fishery
Jorge Blanco.....Commercial Fishery
Joseph Gartenmayer..... Commercial Fishery
William Golden.....Commercial Fishery
Robert Grant.....Commercial Fishery
Jesus Hernandez.....Commercial Fishery
Ron Meyers..... Commercial Fishery
Lorenzo Naseiro, Jr.....Commercial Fishery
George Niles.....Monroe County Commercial Fishery

William NilesMonroe County Commercial Fishery
 Bobby Pillar.....Commercial Fishery
 John F. Reed III.....Commercial Fishery
 Damon SantelliCommercial Fishery
 Lee Starling.....Commercial Fishery
 Mel Strahosky.....Commercial Fishery
 Danny TrevorCommercial Fishery

Mr. Swingle presented the Generic Amendment for Management of Offshore Marine Aquaculture after the Joint Reef Fish/Mackerel Limited Access Amendment Public Hearing. He stated that the reason for implementation was a current legal opinion indicated that commercial aquaculture constitutes fishing under the Magnuson-Stevens Act and cannot be done without an authorizing Amendment.

Mr. Sweeney, a diver, inquired if spiny lobster would be farmed.

Mr. Swingle responded that spiny lobster and stone crabs would probably not be raised.

Mr. Strahosky, an ex-commercial fisherman who presently ran a private boat, stated that it was a mistake to exclude any species and that aquaculture was here to stay and that it should be done in the United States. He added that he was opposed to 6.5.3.f, as it appeared to be a loophole for gill netters. He also thought that permits should be issued for a longer period.

Meeting adjourned at 9:00 p.m.

Minutes

Generic Amendment for Management of Offshore Marine Aquaculture

Larose Regional Park

Larose, Louisiana

February 19, 2004

ATTENDEES: 25 PERSONS:

Council:

Myron Fischer, Chairman

Wayne Swingle

Kathy Conlon

George Arnesch.....Commercial Fishery
Keith J. Barihe, Sr.....Commercial Fishery
Leo Bickham.....Commercial Fishery
James B. Bruce.....Commercial Fishery
David Camardelle.....Mayor of Grand Isle, LA, Commercial Fishery
Noel Camardelle.....Commercial Fishery
Al Cassagne.....Commercial Fishery
Harry J. Cheramie, Sr.....Commercial Fishery
Josie Cheramie.....Grand Isle Tourist Commission, Commercial Fishery
Vincent F. Cottone.....Offshore Operators Committee
Sallie Davis.....Gulf Restoration Network

Connie DuBois.....	Commercial Fishery
Euris DuBois.....	Commercial Fishery
Michael Frazier.....	Commercial Fishery
Logan J. Galliano.....	Commercial Fishery
Steve Kolian.....	ECO Rigs
Ivy J. Lasseigne, Jr.	Commercial Fishery
Robert J. Pitre, Jr.	Commercial Fishery
Terry M. Pizani.....	Commercial Fishery
Terrill Pizani.....	Commercial Fishery
Mickey Readenour.....	Commercial Fishery
Dr. Paul Sammarco.....	Louisiana University Marine Consortium
James R. Scheer.....	Commercial Fishery
Stu Scheer.....	Commercial Fishery
Jerry Walker.....	Commercial Fishery

Mr. Swingle presented the Generic Amendment for Management of Offshore Marine Aquaculture. He stated that the reason for implementation was a current legal opinion indicated that commercial aquaculture constitutes fishing under the Magnuson-Stevens Act and cannot be done without an authorizing Amendment.

Mr. Kolian, a scientist, stated that Japan had found open-ocean aquaculture was the best Fishery Management Practice (FMP) for marine aquaculture. He noted that establishing aquaculture in the Gulf would be a very costly venture, given the necessary permitting requirements and that the Corp of Engineers may require a fishery management permit prior to issuing their respective permit. He also suggested that the FMP should cover more than net pen and that

100 - 250 platforms were being removed yearly from the water. Mr. Kolian noted that he was going to e-mail a copy of the Amendment to Mr. Swingle with his suggested amendments.

Mr. Swingle noted that the people fishing oil and gas platforms were allowed to maintain a recreational bag limit with the proviso that only 1 bag limit in possession was permitted.

Ms. Davis reported that her organization was extremely pleased with the development of the Amendment. She noted that Gulf Restoration Network agreed that annual issue of the permits was an excellent idea and would keep the companies within regulations. She also noted that her organization supports Alternative b in Section 6.5.6 and does not support Alternative d and that all Alternatives under Section 6.5.7 were important and that she would e-mail a copy of the Amendment with her comments to Mr. Swingle.

Dr. Sammarco noted that there were 4,000 offshore platforms in the Gulf and were more valuable in the water than out of the water as they add to the production of fish. Dr. Sammarco noted that his expertise was corals and invertebrates and not fish. He noted that coral was very valuable, which could possibly lead to a black market on coral. He also reported that there was a large demand for live rock. He added that there was a need in the pharmaceutical industry for certain algae that could be produced around the platforms. Dr. Sammarco emphasized that it was very important that the fish being grown were properly fed and that he supported culturing endangered corals. He concluded by noting that aquaculture was a future industry and that he was very impressed with the Scoping Document.

Meeting adjourned at 8:20 p.m.

Minutes

Scoping Hearing for

Generic Amendment for Management of Offshore Marine Aquaculture

Madeira Beach City Hall

Madeira Beach, Florida

Thursday, February 26, 2004

ATTENDEES:

30 members of the public attended

Council:

Karen Bell

Rick Leard

Lorna Evans

Tommy Butler... Florida Offshore Aquaculture, South Pasadena, Florida

Marianne Cufone The Ocean Conservancy, St. Petersburg, Florida

Ryan Dean Commercial Fisherman, Pinellas Park, Florida

Scott Doggett Commercial Fisherman, St. Petersburg, Florida

Martin Fisher SOFA, St. Petersburg, Florida

Kenneth Glenn SOFA, Largo, Florida

Jack Golden SOFA, Madeira Beach, Florida

Phillip Jozza St. Petersburg, Florida

Roger Koske SOFA, Madeira Beach, Florida

Ronald Laskey Commercial Fisherman, Indian Rocks Beach, Florida

Randy LaurelSOFA, Largo, Florida
Ed Maccini SOFA, Seminole, Florida
Dennis O'HernSeminole, Florida
Tommy Powell Florida Offshore Aquaculture, Tampa, Florida
Paul Renner.....Commercial Fisherman
Mike RiceCommercial Fisherman
Sal Versaggi..... Versaggi Shrimp, Tampa, Florida
Scott WebberFishing Rights Alliance, St. Petersburg, Florida

Ms. Bell called the meeting to order at 7:30 p.m.

Dr. Leard presented the Generic Amendment for Management of Offshore Marine Aquaculture.

Mr. Powell stated that NOAA General Counsel had no jurisdiction to decide that aquaculture was under the Council's authority and felt that decision should be left to the U.S. Department of Agriculture. He entered a letter into the record (Attachment 1).

Mr. Butler supported aquaculture. He was opposed to the one-year permits because the investors would not give money for such a short time period. He asked for at least 2 years or 5 years maximum. He felt this would give time to address any problems such as fouling, marine mammals, or pollution. He asked that the Council help him make the transition from commercial fisherman to aquaculturist. He pointed out that this would create rather than deplete a resource. He stated that there were over 20 jobs available now with a possibility of over 200 to 1,000 jobs in the future. He was opposed to the requirement that the COE grant a permit before NMFS gave a permit. He related that the goal of offshore aquaculture was to

create a resource of fish. He suggested using the most threatened species to grow in the cage. He commented that the commercial fishermen had depleted the species to its current state. He questioned where was the 73 million dollars that the Department of Agriculture, Department of Interior, and the Department of Commerce had received from Congress. He commented that he has a family and he would like to start a business.

Ms. Cufone stated that her agency was not anti-aquaculture. She related that there were concerns with regard to open ocean aquaculture because there was no comprehensive national legislation that detailed proper process, proper management practices and penalties for non-compliance with any of those practices. She was opposed to the scoping document because she felt there was a better way to deal with open ocean aquaculture. She was also concerned about the lack of scientific information about open ocean aquaculture to base comprehensive legislation. She pointed out that a lot of the information in the scoping document barely touched on potential and actual problems that exist with open ocean aquaculture. She commented that there was a lot of outdated information in the document and she felt there were more recent studies that should be used. She stated that fish that had been cultured on an oil rig had the potential for concentrating larger amounts of mercury. She felt that escapement should be a concern because cultivated populations that escaped could overtake wild populations that are already depleted. She added that the issue of algal blooms had not been fully addressed. She discussed behavioral differences of cultivated fish such as foraging for food and reaction to predators. She added that the document did not discuss stress and its effects especially on fish in tight quarters. She commented that the impacts to coral reefs or

other fragile habitat was not addressed. She suggested that enforcement and penalties be looked into more avidly. She was concerned with the possibility of placement of a pen in a protected area and felt there should be buffer zones around these areas. She asked if there were any alternatives for some type of fee system to give back to the general public whose resources were being used for a private entity as was being done with the gas companies. She agreed that genetically modified, foreign, or exotic species should not be used. She asked that an EIS be done to satisfy NEPA before proceeding with the amendment.

Mr. Versaggi was concerned about water quality. He suggested placing the pens far offshore so they would not impact the inshore fisheries. He supported status quo. He did not believe the Department of Agriculture would have any jurisdiction over aquaculture. He believed anyone that was petitioning to run an aquaculture pen should have a demonstrated level of expertise and knowledge before being allowed to obtain a permit.

Meeting adjourned at 9:00 p.m.

