



Southeast Fishery Bulletin

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NOAA Announces the Final Rule for the Aquaculture Plan for Federal Waters of the Gulf of Mexico

NOAA Fisheries has published a final rule for the Gulf of Mexico Fishery Management Council's Fishery Management Plan for Regulating Offshore Marine Aquaculture in the Gulf of Mexico (Aquaculture Plan). The final rule published in the *Federal Register* on January 13, 2016 (81 FR 1762).

The rule will be effective on February 12, 2016 at which time information on applying for a Gulf aquaculture permit can be found at: http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/aquaculture/.

Background

Prior to the Aquaculture Plan, an exempted fishing permit was required to conduct aquaculture in federal waters. Since exempted fishing permits are of limited duration, they are not the best option for commercial aquaculture operations. This rulemaking establishes a regional permitting process to manage the development of an environmentally-sound and economically-sustainable aquaculture industry in federal waters of the Gulf of Mexico (Gulf). A maximum of twenty Gulf aquaculture permits could be issued under this final rule.

This final rule:

- Establishes Gulf aquaculture permit requirements, eligibility, and transferability.
- Establishes application requirements, operational requirements, and restrictions for Gulf Aquaculture permits.
- Establishes Gulf aquaculture permit duration and renewal periods.
- Specifies allowable species for aquaculture purposes.
- Evaluates proposed aquaculture systems on a case-by-case basis.
- Establishes marine aquaculture siting requirements and conditions.

- Creates a restricted access zone around each aquaculture facility where no fishing may occur and no fishing vessels may operate in or transit through (unless they possess a copy of the facilities' aquaculture permit onboard).
- Establishes recordkeeping and reporting requirements.
- Establishes biological reference points (e.g., *maximum sustainable yield* which is the total yield harvested by all aquaculture operations in a given year), annual catch limit and accountability measures, and status determination criteria (e.g., overfishing and overfished status) for aquaculture operations.
- Specifies procedures for modifying biological reference points and management measures for offshore marine aquaculture in the Gulf.

Other information on the Gulf aquaculture permit is also discussed in the Aquaculture Plan. The administrative functions associated with this final rule (e.g., registration and account setup, landing transactions, and most reporting requirements) are intended to be accomplished online via the aquaculture Web site. A participant must have access to a computer and Internet access and must set up an appropriate online aquaculture account to participate.

NOAA Fisheries is also working on guidance for the baseline environmental survey, assurance bond requirements and guidance on broodstock sourcing and hatchery breeding practices. These guidance documents will be posted to the aquaculture Web site when the final rule becomes effective.

This bulletin provides only a summary of the information regarding the existing regulations. Any discrepancies between this bulletin and the regulations as published in the *Federal Register* will be resolved in favor of the *Federal Register*.