

**U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL MARINE FISHERIES SERVICE**

**MARINE FISHERIES ADVISORY COMMITTEE
COURTYARD MARRIOTT – LAKE UNION
SEATTLE, WASHINGTON
JULY 25-27, 2006**

SUMMARY REPORT

The Marine Fisheries Advisory Committee (MAFAC or ‘the Committee’) held its second meeting in fiscal year 2006 at the Courtyard Marriott on Lake Union, in Seattle, Washington, July 25-27, 2006. The focus of the meeting was on responding to a draft ten year business plan for NOAA’s marine aquaculture program, and to begin fleshing out the purpose, focus and strategy for a ‘Vision 2020’ document regarding marine fisheries in the U.S. The meeting was organized to provide sufficient breakout time for the subcommittees and full committee deliberations. As such, the number of additional issues on the agenda were kept to a minimum and confined to the first meeting day only.

The meeting was open and attended by several members of the public and NOAA-NMFS regional staff. The following report briefly summarizes the Committee’s discussions and resulting actions which are appended as attachments.

Tuesday, July 25, 2006

8 AM Meeting Convened

Welcomes & Opening Remarks

Dr. Jim Balsiger, sitting in for Dr. Bill Hogarth, Vice Chair of MAFC, called the meeting to order and recognized Dr. Hogarth who joined by telephone to provide opening remarks and guidance to the Committee for the key action items on the agenda, particularly the vision 2020 project. Dr. Hogarth apologized for not being able to attend due to meetings with the Secretary of Commerce regarding commercial salmon fishery issues on the West Coast and a Congressional hearing scheduled by the House Resources Committee.

Dr. Hogarth suggested the Committee approach the vision 2020 project by thinking out of the box envisioning what healthy, sustainable commercial and recreational fisheries and communities should look like, and, considering what requirements are necessary, including management, science and infrastructure needs. In addition Dr. Hogarth encouraged the Committee to continue its involvement with marine aquaculture and said that he looks forward to receiving comments on the Draft ten year plan. He also requested MAFAC to establish a process and or working group to ensure the Committee’s input and involvement with the agency’s response to the National Research

Council's 2006 review of the Marine Recreational Fishing Statistical Survey (MRFSS) and to get broad based buy-in from key constituencies. Dr. Hogarth briefly touched on the status of two legislative initiatives, offshore marine aquaculture and reauthorization of the Magnuson-Stevens Act, voicing his concerns that neither may make it through the congressional process before Congress adjourns in the fall.

Lastly, on behalf of the Committee, Dr. Balsiger and Dr. Hogarth extended their appreciation to member Bill Dewey, Public Affairs Manager for Taylor Shellfish, for the informative field trip and tour of Taylor's facilities and operations the day before.

Member Steve Joner was recognized to introduce Micah McCarty of the Makah Tribal Council to provide a traditional welcome and blessing for the Committee and its pending deliberations. Mr. McCarty provided the Committee with a brief tribal history of the area and the Makah tribe's philosophy of stewardship over living marine resources.

Dr. Balsiger recognized Frank Lockhart, Assistant Regional Administrator for Sustainable Fisheries in NMFS' Northwest Regional Office, who welcomed the Committee members to the Seattle area. Dr. Balsiger covered a number of staff changes since the meeting in February, including the appointment of Samuel Rauch as Deputy Assistant Administrator for Regulatory Programs, and Dr. Balsiger's own appointment as the Senior Policy Advisor to the AA for Fisheries.

United Nations Initiative on Bottom Trawling

Dr. Rebecca Lent joined by phone to assist Dr. Balsiger in providing information on a U.S. proposal for this fall's U.N fisheries resolution, which will consider conservation and management measures to address destructive fishing practices (in particular, bottom trawling) on the high seas. The U.S. proposal, based on collaboration between NOAA and the State Department, includes "freezing the footprint" of bottom trawling on the high seas and in regional fisheries management organization areas (i.e., limiting these activities to areas where they already occur). Any new fishing activity would only be permitted after an assessment of the impact on vulnerable marine ecosystems. As U.S. fishers applying to fish on the high seas require a similar assessment according to the High Seas Fishing Compliance Act, U.S. fishers will not be unduly affected by the proposal. The UN's Secretary General published a report that identified actions taken by States and RFMOs to mitigate the effects of destructive fishing practices on vulnerable marine ecosystems; a copy of the report can be found at the Division of Ocean Affairs and the Law of the Sea's website, http://www.un.org/Depts/los/general_assembly/documents/impact_of_fishing.pdf

Ralph Rayburn suggested that the Committee form a working group or assign a subcommittee to be available to follow international stewardship issues. Dr. Lent was very receptive to having a constituent group available for input and advice. A follow up motion was made during the last day of the meeting (July 27, 2006) to include international areas of concern and activity within the Ecosystem Management Subcommittee. This was a motion that was tabled pending consideration of renaming the Ecosystem Subcommittee. No action was taken further.

Budget Status for 2006-2007

Dr. Balsiger gave a brief overview of the FY2007 budget marks emanating from the House of Representatives and the Senate Commerce Committee. The status and division of the supplemental budget for FY 2006 regarding hurricane relief funding was also reviewed.

National Outreach Plan – Development

Chris Moore, Chief of the newly established Partnerships & Communications Division within the Office of Sustainable Fisheries in headquarters, gave a summary presentation of the agency's initiative to develop a national outreach plan and annually identify and integrate measurable goals and deliverables. The Committee made a number of strong suggestions, including that a national outreach plan identify key issue areas and agenda items on the agency's national agenda and develop public education plans and materials. Aquaculture was the example identified as needing strong, national outreach and education. In addition, more strategic communication with messages for key constituencies, particularly Congress, was cited as an important priority for a national plan. The utilization of Sea Grant for the development and deployment of an outreach plan was identified and supported by a number of members, as was the inclusion of some level of constituent input or feedback prior to a final plan being adopted.

Legislative Update

Sam Rauch, Deputy AA for Regulatory Programs provided the Committee with a brief overview of the status of key legislative initiatives in the 109th Congress. With regard to reauthorization of the MSA, conflicts over how to address the National Environmental Policy Act (NEPA) deadlines for ending overfishing, and rebuilding timelines were identified as the three controversial issues holding up passage in the House. Sam also referenced the Offshore Marine Aquaculture, Endangered Species and Marine Mammal Protection Acts as in various stages of non-action, citing passage of the MSA reauthorization as the priority in Congress before any action is taken on the latter three.

Offshore Marine Aquaculture

Dr. Balsiger recognized Tom Billy, Chairman of the Commerce Subcommittee, who reviewed the history and tasking of MAFAC's ongoing involvement with the development of an aquaculture program and the Committee's agenda at this meeting to provide feedback to the agency on its draft ten year plan as well as its overall strategy for developing the program.

Dr. Michael Rust of NMFS Northwest Fisheries Science Center – Manchester Lab, gave a brief overview of the lab's aquaculture research, specifically with regard to stock enhancement of depleted or protected species and the scientific and management differences and challenges between hatchery technologies for anadromous versus non anadromous species such as pacific rockfish. An extensive discussion resulted regarding aquaculture research and advancements occurring in the U.S. and around the world.

Michael Rubino gave an overview of the history and status of the aquaculture program at NOAA, reviewing the global and national drivers necessitating a national policy and outlining the priorities, objectives, and strategies the NOAA Aquaculture Program hopes to achieve through the draft 10 year plan. Michael detailed the program's four primary goals - regulation, science, outreach and international activities and developments – and the strategies outlined in the plan to achieve them. Michael also discussed some of the key challenges to achieving these objects, foremost among them being establishing a stable and predictable permit system, and gaining public support from outside organizations other than industry, including leaders in the environmental sector and commercial fishing industries.

Committee members emphasized the critical need for an effective outreach program that begins to educate both the public and the commercial fishing industry on the opportunities and benefits that can be realized from an aquaculture program and the need to identify and select a visible demonstration project in a community where these benefits can be easily recognized.

It was also suggested that the 'opt out' option for states be turned on it's head to provide an 'opt in' program where interested states have an opportunity to compete and receive resources through grants, etc. to put together demonstration projects.

Although some commercial fishing industries regard all aquaculture products as a competitor, the Committee acknowledged that the seafood deficit will be supplied from somewhere. Without increased domestic production, U.S. consumers will likely rely on product from less developed countries with less effective environmental regulation.

Michael Rubino pointed out that the opposition to aquaculture exists in the coastal real estate associations who oppose buoys and cages near shore as undesirable for the expanding coastal real estate market. This was demonstrated the day before during the field trip to Taylor shellfish which has been in operation in the southern reaches of Puget Sound for over a hundred years. Despite the clean water benefits associated with rearing filter feeder shellfish and the increased pollution resulting from the coastal development, the growth of luxury homes along Taylor's historical farming areas has placed the company under tremendous public relations pressure to move their operations.

Lastly, it was asked that the Committee's recommendations and the ten year plan be delivered to the Secretary well before the change in Administration pending the 2008 elections.

Further discussion was slated for the Commerce Subcommittee breakout on Wednesday.

FishWatch Public Education Initiative

Rachel Butzler, Sea Grant intern with the Partnerships and Communications Division in headquarters, presented a mock web page envisioned by NMFS to provide consumers with easily understood information on the status, management and science of their seafood, providing and presenting data in a neutral and informative manner. The

webpage would not make recommendations, but rather inform the public about sustainable fishery management. Rachel requested MAFAC serve as an external review board for a test website as this webpage project is developed. The Committee responded positively to the prospect of serving as an external review panel and providing comments. The Committee members emphasized a number of key management and policy issues for the agency to address as it develops FishWatch:

Ensure the webpage is well staffed and the content routinely maintained and updated.

Certification by outside, non-governmental organizations of what seafood is sustainable and under effective management is gaining popularity among seafood retailers as a means for appealing to consumer awareness over purchasing 'green' products that are friendlier to the environment. The certification process by these groups is extremely expensive and often not based on the standards of peer reviewed science. Unless an industry is well organized and can get through the process, they could be at a serious disadvantage in the market place regardless of whether they are participating in a sustainable fishery.

Historically, the key issue for seafood consumers in the United States has been 'health' rather than sustainability. Some NGOs are now appealing to retailers to purchase only those seafood products approved under their private sustainability standards or certification. As this continues, other retailers will feel the same pressure and many legitimate, sustainably managed seafood products may be cutoff from the consumer.

The agency's FishWatch project should attempt to seize on this aspect of 'sustainably managed' as the primary focus for consumer awareness and public education of the management process. The agency should market FishWatch to retailers, restaurants, chefs, etc. and educate them about the management process and the progress that has been made in effective sustainable management. In turn, these target audiences can further expand public awareness and utilization of FishWatch, as can regulated entities that cannot afford certification by an NGO and are not getting credit for participating in a sustainably managed fishery.

A 'point of sale' strategy, such as an information kiosk and wallet cards should also be considered as part of the agency's marketing strategy. However, it was acknowledged that these tools could be cost-prohibitive.

One member suggested the project title "Fish Watch" (two words) is preferable to FishWatch.

Information on litigation should be provided and linked to management actions and particular species when appropriate. A lot of public misperception has resulted from filed lawsuits because no follow-up on the results or closure of that lawsuit are provided.

Other relevant information regarding bycatch, habitat, etc. should be included. If possible, include data on what is happening and/or being accomplished (e.g. trends in bycatch over time within a given fishery).

National Research Council Report on Marine Recreational Fisheries Statistical Survey (MRFSS)

Rick Methot, Office of Science and Technology, provided the Committee with a summary of where the agency is in responding to the NRC review and recommendations for improving data collection on recreational fishing.

To identify solutions and develop an outreach strategy to include the recreational sector, the agency has set up a steering committee and plans on a series of workshops through the Commissions to pull together expertise in science, management and constituent groups from around the country to identify existing data resources and the data needs specific to each region. These workshops will take place in August as part of the commission meetings, and will be followed by a national workshop in September (6-8) to be held in Denver, to further compile and identify the data gaps and needs.

The agency requested MAFAC to establish a working group to provide long-term input and feedback to the agency during this process and assist the agency with reaching out and soliciting participation in the process from a broad range of constituents. This is critical if the agency is to regain trust and credibility with its constituents over recreational data collection programs. The agency would like a representative of MAFAC to participate in that meeting and report back to the full committee for further feedback. MAFAC responded very positively and Bob Fletcher agreed to lead a working group under the Commerce Subcommittee to submit a draft response for consideration and action by the full Committee during Thursday's scheduled meeting.

NOAA's Ocean Research Priorities – Draft 10 Year Plan

Rick Methot also briefly outlined the activities of NOAA's Joint Subcommittee on Ocean Science and Technology (JSOST) to develop a 10 year plan of research priorities for NOAA. This is part of NOAA's ongoing activities implementing the Administration's Ocean Action Plan which was based on the recommendations of the Ocean and Pew Commissions. A draft of this plan is anticipated to be released to the public for comment later in the summer and would be an opportunity for MAFAC and/or its members to review and comment.

Improving Endangered Species Act Implementation

Sam Rauch, Deputy AA for Regulatory Programs, gave a brief overview of issues underlying effective implementation of ESA recovery requirements and asked whether MAFAC would be interested in providing input should the agency consider improvements. MAFAC agreed to take it up during break out sessions and respond to the full Committee during Thursday's scheduled meeting.

Fisheries Vision 2020 Project

Tony DiLernia gave a summary of discussions and activities undertaken by the Committee to-date, including the formation of a working group to manage this project and the agency hiring a contractor, Mary Hope Katsouros, President of Fish for the

Future Foundation, to staff the project. The working group and any other interested members will, at this meeting, flesh-out a more detailed process strategy and content outline at this meeting (members listed below).

Committee members engaged in a discussion about key decisions that need to be finalized regarding the strategy, scope and purpose of the Vision 2020 project. One area of particular interest was the need to gain input not only from stakeholders, but more importantly, to get the facts and resources from various experts inside and outside the agency and Department that can help identify the economic and environmental factors likely to influence domestic fisheries in the year 2020.

The Committee adjourned at 5:07 PM.

Wednesday, July 26, 2006

Commerce Subcommittee met 7am – 12 noon

Vision 2020 Project Team met 9 am-12 noon

12:30 PM – 5PM Full Committee toured the Northwest Fisheries Science Center's Manchester Lab.

Thursday, July 27, 2006, Full Committee Reconvened at 1:05 PM

Commerce Subcommittee - Aquaculture

Tony DiLernia called the Committee to order and asked Tom Billy to report on the actions of the Commerce Subcommittee and its work on NOAA's draft ten year aquaculture plan. Tom presented a draft letter to be signed by himself and Tony DiLernia and submitted on behalf of the full Committee to Dr. Hogarth, with the expectation that that Dr. Hogarth formally submit the Committee's recommendations to the Under Secretary of NOAA and the Secretary of Commerce. A friendly amendment was offered to encourage best business practices to be developed and encouraged as a part of an aquaculture development initiative being recommended by the Committee.

Tony DiLernia invited any comments from the attending public. Ms. Ann Mosness, Institute for Agriculture and Trade Policy, made a statement expressing her concerns about the National Offshore Aquaculture legislation that is under consideration in Congress. She was invited to submit the letter to the Committee for distribution to the members, and to formally direct the letter to Dr. Hogarth for response from NMFS. Ms. Mosness' letter is attached to this report (Attachment E).

The Committee amended and unanimously accepted the letter proposed by the Commerce Subcommittee. The letter will be placed on MAFAC letterhead and, post-meeting, will be hand delivered by Tom Billy to Dr. Hogarth and appropriate staff of NOAA's aquaculture program. (Attachment A)

Protected Resources Subcommittee – ESA

Bob Fletcher, Chair of the subcommittee, reported the subcommittee met with Sam Rauch following his presentation on Tuesday, to better understand what the agency anticipates in terms of any ESA activity and how MAFAC should be involved. Because legislative action is unlikely other strategies to improve the ESA may be explored. In anticipation of this initiative, the agency, as co-manager of the ESA, would like MAFAC to consider whether or not it wants to serve as a source of external input to help provide advisory guidance on the specific issues of concern under the agency's jurisdiction. The subcommittee recommended MAFAC request NMFS to provide relevant and appropriate documents necessary to educate subcommittee members and familiarize them with the ESA issues that may be the focus of attention in the future. The Subcommittee also recommended the ESA be on the next meeting agenda.

The Committee unanimously accepted the recommendations. (Attachment B)

New MAFAC members Bill Dewey and Catherine Foy requested to serve on the Protected Resources Subcommittee.

Recreational Fishing Working Group – NRC Report on MRFSS

Bob Fletcher reported on the working group's response to Rick Methot's presentation on Tuesday. Further more, Mr. Fletcher requested that MAFAC establish a working group to collaborate with the agency to gain stakeholder input into the development and implementation of the agency's response to the NRC recommendations for improving recreational fishing data. The Subcommittee also considered the agency's request that MAFAC send a representative to its September 6-8, 2006, meeting in Denver, Colorado, which is aimed at beginning the process of responding to the NRC's recommendations and answering the question of how the agency can regain the trust of the recreational fishing community. After a lengthy discussion of the working group's recommendations and the intended strategy, the Committee unanimously agreed to send the Recreational Fishing working group Chair, Bob Fletcher, to the Denver meeting to represent the full Committee and report back to it. The representative was given counsel by the Committee on several key issues and guiding principles, including the need for regional flexibility, state agency involvement, possible elimination or at least severe restriction of random digit dialing as a method for data collection, and recognition that recreational registration is only one component of a larger improved data collection strategy. (Attachment C)

Sustainable Fisheries Leadership Awards

Dr. Balsiger gave a brief summary of the inaugural awards held in June and the agency's intention to continue these awards with MAFAC's involvement as an external review committee. Laurel Bryant pointed out the need for a commitment by MAFAC members to participate and provide reviews and recommendations as well as for the three state fishery commissions to fully participate.

It was also pointed out that MAFAC should be notified as soon as possible about the nomination and review dates so that members can plan to dedicate the time and schedule

their calendars. A recommendation was made that MAFAC go through a second round and review the process for any improvements to be made by the agency. Lastly, there was reference to the Committee's discussion in 2005 to avoid creating a 'political' category that can over time threaten to undermine the credibility and legitimacy of the award. No action was taken.

Vision 2020 Project

There was very lengthy discussion about the focus, content, purpose and audience(s) for which this document will be intended. Should the document be looking at the future of fisheries based on current trends un-changed, or should the future vision detail what fisheries could and should look like in 2020 and what is required to get them there? Suggested strategies for developing this project included surveying NOAA and DOC for the socio-economic and ecological issues and questions to be asked and answered by the document. Participation of the public through special agenda meetings at the fishery management councils and commissions was supported. Timing of the documents development was also an issue, noting that the administration will be changing in two years and that the Committee may want to encourage the agency to treat this as a transition document for the new administration.

The Committee felt it needed further input from Dr. Hogarth. As such, it agreed for members to respond in writing to two key questions. Responses will be compiled by the Committee Liaison, Tony DiLernia, and Fish for the Future Foundation and submitted to Dr. Hogarth for further input and clarification. The Vision 2020 project team will be conducting meetings between now and the next MAFAC meeting which will include Vision 2020 on its agenda. Tony and Mary Hope will be in communication with members regarding the schedule for receiving compiled responses and synthesizing a draft document by August 10 for MAFAC's review. The two questions submitted to each member for response are appended to this report. (Attachment D)

It is anticipated that the Vision team will work to develop a straw man for the full Committee to begin discussing at its next meeting in January or March.

Schedule for meetings in 2007

Tony DiLernia conducted a discussion for everyone to review their calendars and submit suggestions for the location of our next meetings in 2007. For winter 2007, two possibilities were to be checked with Dr. Hogarth: January 8-10 in Washington, D.C. to coincide with the Council Chairs meeting, or the week of March 12 in New Orleans after Mardi Gras is over. Providence, Rhode Island and its location near the agency's Fisheries Science Center in Woods Hole was suggested as a primary candidate for summer 2007. Laurel will get back to the Committee with final dates that work for Dr. Hogarth.

Subcommittee Assignments

Bill Dewey requested to be placed on the Commerce and Protected Resources subcommittees. Catherine Foy requested to be placed on the Protected Resources and Ecosystem Approach subcommittees.

House Keeping

Laurel covered IOUs for the meeting. Sam Rauch included follow-up documents regarding ESA issues. Travel and reimbursement issues were discussed.

Ralph Rayburn made the suggestion that MAFAC identify international issues as under the purview of the Ecosystems Approach subcommittee. Tony DiLernia suggested the committee consider renaming the subcommittee before the next meeting and tabled it.

Ralph Rayburn also requested thank you letters be sent to Taylor Shellfish and the Makah Tribe, and At Sea Processors for the field trips and their hospitality.

Lastly, an e-mailing list for the Committee to utilize will be transferred from Texas A&M where Ralph's staff has been maintaining it, to NOAA. Laurel and Ralph will work together and follow up.

Dr. Balsiger and Tony DiLernia thanked everyone for their hard work.

4PM, Meeting Adjourned Sine Die

ATTENDEES

MAFAC Members:

Dr. Jim Balsiger Acting Vice Chair for Dr. Hogarth
Tom Billy
Bill Dewey
Tony DiLernia (Committee Liaison)
Chris Dorsett
Bob Fletcher
Steve Joner
Pete Leipzig
Dorothy Lowman
Heather McCarty
Tom Raftican
Ralph Rayburn
Dr. Ken Roberts
Eric Schwaab
Mary Beth Tooley
Randy Fisher (Consultant – non-voting)
Vince O'Shea (Consultant - non-voting)
Larry Simpson (Consultant – non-voting)

Absent Members:

Jim Donofrio
Jim Gilmore
Rob Kramer

Laurel Bryant (Executive Director – non-voting)

NOAA Fisheries Service:

Rachel Butzler, Office of Sustainable Fisheries, Sea Grant Fellow
Linda Chaves, Senior Advisor to NOAA on Seafood Industry Issues
Dr. Walt Dickhoff, Northwest Fisheries Science Center
Kerry Griffin, Office of Habitat Conservation
Dr. Bob Iwamoto, Northwest Fisheries Science Center
Dr. Rebecca Lent, Director, Office of International Affairs (Telephonically)
Frank Lockhart, Northwest Regional Office
Mariam McCall, Office of General Counsel, NOAA
Dr. Rick Methot, Office of Sustainable Fisheries
Christopher M. Moore, Office of Sustainable Fisheries
Kate Naughten, NOAA's Aquaculture Program
Rachel O'Malley, Office of Sustainable Fisheries
Samuel Rauch, Deputy Assistant Administrator for Regulatory Programs
Dr. Michael Rubino, Director, NOAA's Aquaculture Program
Dr. Mike Rust, Northwest Fisheries Science Center

Guests and Attending Public

Dr. Brian Atlee, Alaska Sea Grant
Shannon Davies, The Research Group
Mary Hope Katsouros, President, Fish for the Future Foundation
Dr. Terry Klinger, University of Washington, and Chairman of the Olympic Coast
National Marine Sanctuary Advisory Council
Micah McCarty, Makah Tribal Council
Don McIsaac, Exec. Director, Pacific Fishery Management Council
Bruce Morehead, Ocean Associates
Anne Mosness, Institute for Agriculture & Trade Policy
Sean Nepper, Troutlodge, IWC

July 28, 2006

Dr. William T. Hogarth
Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 East-West Highway, 14th Floor
Silver Spring, Maryland 20910

Dear Dr. Hogarth:

At our request, the NOAA Aquaculture Program presented its draft *10 Year Plan for the NOAA Marine Aquaculture Program* at our recent meeting. The Marine Fisheries Advisory Committee (MAFAC) believes that the plan makes a compelling case for the development of sustainable marine aquaculture in the United States and we recommend that NOAA, in cooperation with the Department of Commerce and other federal agencies, implement this plan.

As key advisors to the agency, MAFAC believes that there is an obvious need for the United States to become more secure in the production of seafood from marine aquaculture and apply as appropriate aquaculture technology to the enhancement and rebuilding of native marine stocks. However, the committee recognizes that there are socioeconomic and environmental concerns associated with aquaculture and will support NOAA in its efforts to ensure that marine aquaculture develops in a predictable, environmentally compatible and sustainable manner.

MAFAC submits the following specific recommendations for your consideration, support and action.

- **Formally Adopt the 10 Year Plan for the NOAA Marine Aquaculture Program as a NOAA Plan.**
- **Provide Substantially Increased Budget Resources for Aquaculture and Institutionalize Aquaculture within NOAA and the Department of Commerce**
 - to implement a regulatory framework, increase the agency's aquaculture science capabilities, and work with partners on pilot and demonstration projects;
 - to create a headquarters and field organizational structure for marine aquaculture comparable to other major NOAA Fisheries Programs;
 - create a NOAA Fisheries line item dedicated for aquaculture program activities to place specific emphasis on aquaculture within the agency; and
 - to provide additional funding without compromising other agency programs.
- **Launch a Broad Marine Aquaculture Development Initiative in the United States that will Lead to Greater Levels of Seafood Production**

- The Secretary should convene a National Summit on Marine Aquaculture in conjunction with the Secretary of Agriculture to launch a broad-based marine aquaculture initiative that will identify specific milestones and actions to increase the production of seafood from marine aquaculture and to enhance commercial and recreational fisheries.
- The new marine aquaculture initiative should include a wide range of partners to develop an integrated framework of regulation, science, research, monitoring, infrastructure support, education, outreach and economic incentives in order to advance the development of aquaculture in the United States.
- NOAA should work with states and other regulatory authorities in the development and dissemination of best practices in aquaculture regulation to ensure consistent, efficient and effective management of systems in an environmentally safe manner.

➤ **Revisit Chapter 22 of the U.S. Commission on Ocean Policy’s *Final Report to Congress for Elevation of Additional Aquaculture Recommendations to the U.S. Ocean Action Plan.***

MAFAC believes that an increased domestic aquaculture industry can and should contribute to more resilient coastal communities with a more diversified economic base. Other benefits include:

- maintenance of existing seafood infrastructure;
- creation of new business opportunities for the U.S. grains and feed industry, nutrition products, equipment manufacturers, food processing and other service industries;
- increased availability of safe, healthy seafood for consumers;
- greater regional food supply and security; and
- restoration of depleted and endangered species and habitat.

If the NOAA does not adopt and implement these recommendations, the nation will continue to lose an important economic and environmental opportunity, while fisheries-dependent coastal communities lose their market niche and infrastructure as more seafood buyers turn to imported aquaculture products to meet market demand. In addition, seafood prices will likely increase as other countries consume more and export less, making the health and nutritional benefits of seafood less affordable to Americans. Though this may not foreshadow a national crisis in the same way dependence on overseas oil causes concern, it will mean economic and conservation opportunities forgone and fewer economic options for the nation in the long-term.

Thank you for your careful consideration of our recommendations. Be assured that MAFAC’s goal is to help NOAA make aquaculture a priority. We will continue to focus on aquaculture and

look forward to receiving more detailed information on your progress in implementing the four action items listed in this letter.

As always, we are available for further consultation as you contemplate a course of action.

Sincerely,

Tony DiLernia, Committee Liaison
MAFAC

Tom Billy, Chair
MAFAC, Commerce Subcommittee

Cc: MAFAC Committee Members (e-mail)
Dr. Jim Balsiger
Dr. Michael Rubino

**Marine Fisheries Advisory Committee
Protected Resources Subcommittee**

Endangered Species Act – Committee Request for Information

Following discussions with Sam Rauch, subcommittee members Fletcher, Foy, and Nickell-Tooley produced the following recommendations:

- 1) MAFAC should request that NMFS provide the subcommittee with any ESA-related documents NOAA deems appropriate, so that the subcommittee may stay informed and provide advice on ways to improve regulations, policy or agency emphasis;
- 2) The subcommittee is prepared to respond if NMFS asks for advice on these issues; ESA should be a subcommittee agenda item at the January 2007 meeting of MAFAC

Accepted Unanimously by Voice Vote
July 27, 2006

**Marine Fisheries Advisory Committee
Recreational Fisheries Working Group
Interim Response to Agency Regarding National Research Council
Recommendations to Improve Recreational Fisheries Data**

In response to the NRC Report, the Working Group (Bob Fletcher, Tom Raftican, Tony DiLernia) recommends that MAFAC select the chair of the Working Group or his designee to attend the Sept 6-8 meeting in Denver.

The Working Group suggests that the MAFAC representative keep in mind the following areas of concern:

- 1) Maintain regional flexibility in recreational fisheries data systems, based on the available tools in each region;
- 2) Answer the question: what do we need this data system to accomplish? Working together, NMFS and the states must decide on the level of accuracy and precision of the data needed for current management, and the timeliness of the results and the appropriate scale of the application.
- 3) Consider some key changes to marine recreational data collection systems:
 - a) eliminate or significantly restrict random digit dialing;
 - b) increase angler intercepts
 - c) survey anglers at a higher rate
 - d) recognize that angler registration alone cannot fix the MRFSS problem
 - e) state agency involvement in the solution is a must
 - f) new funds are essential; NMFS should be requested to provide recent expenditure history related to the collection of both commercial and recreational landings and effort data on a regional basis
 - g) requiring for-hire operators to submit daily catch and effort reports should be mandatory
 - h) basic precept: unless anglers believe that the survey is well designed and implemented, they are unlikely to participate (no credibility, no cooperation).

Accepted Unanimously by Voice Vote
July 27, 2006

August 25, 2005

Ms. Susan Bunsick
Policy Analyst, NOAA Aquaculture Program/National Marine Fisheries Service
Email: susan.bunsick@noaa.gov

Dear Ms. Bunsick,

This letter constitutes a formal request for NOAA to:

1. Immediately prepare the required LEIS on S. 1195, National Aquaculture Act of 2005.
2. Enlist the Science Advisory Board and other knowledgeable scientists, and finance appropriate research to fully analyze the issues surrounding open ocean fish farming; and,
3. Provide written response to the questions outlined in this letter.

At NOAA's Science Advisory Board meeting in Seattle, August 8 and 9, 2005, many questions were raised following your presentation about "NOAA's Role in Open Ocean Aquaculture: Legislation and Research".

The "National Aquaculture Act of 2005" (S. 1195), developed in secrecy and introduced on June 7th, vastly changes management and utilization of the U.S. Exclusive Economic Zone, 3-200 miles offshore. Many citizens, elected officials and members of the scientific community are losing confidence in NOAA's stewardship of our ocean commons, while the agency is aggressively promoting private, even foreign owned fish farms in our waters.

You stated several times that NOAA recognizes the importance of science, yet it is apparent that substantial scientific assessment of impacts and risks of open ocean aquaculture (OOA) have not been conducted.

NOAA has thus far declined to prepare a legislative environmental impact statement (LEIS) which is required by the National Environmental Policy Act (NEPA) *prior* to Congress voting on legislation that significantly affects the quality of the human environment. Several members of Congress, including two from Washington State where the recent SAB meeting was held, have requested that NOAA prepare the LEIS.

On NOAA's Science Advisory Board website, their stated mission is to ensure NOAA's science programs "are of the highest quality and provide optimal support to resource management, and environmental assessment and prediction" and they can assist "NOAA in maintaining a complete and accurate understanding of scientific issues critical to the agency's missions".

To that end, the following are some of the analysis that must be conducted:

- 1) **A detailed economic impact study of effects of aquaculture of all economically valuable marine species on existing fishing dependent businesses and employment** (i.e. commercial, recreational, tribal), under several assumed levels of offshore commercial aquaculture and given existing and predicted net pen and alternative containment technologies.
- 2) **A detailed analysis of the full range of economic and environmental impacts that could result from the escape of various levels of farmed native or exotic species and genetically modified fish into the open ocean and nearshore environments.** This analysis should consider several different scenarios based on various production models, quantities, and methodologies utilizing current and predicted net pen and alternative containment technologies.
- 3) **An analysis of the potential impact to the environment and human health from potential**

fish diseases, bacteria, viruses, and parasites resulting from offshore aquaculture, under several assumed levels of offshore commercial aquaculture and given existing and predicted net pen and alternative containment technologies.

4) **An analysis of the impacts on human health** from consuming offshore farmed fish, including an analysis of the impacts of: a) antibiotics, b) other cleaning and algal growth prohibiting chemicals, and, c) mercury and hydrocarbons in facilities located on or adjacent to offshore oil and gas facilities, under several assumed levels of offshore commercial aquaculture and given existing and predicted use of these chemicals in marine aquaculture.

5) **A detailed analysis of the impacts on water quality** and the environment resulting from the use of various cage materials under several assumed levels of offshore commercial aquaculture and various proximities for aquaculture facilities, given existing and predicted net pen and alternative containment technologies. Such analysis should describe in detail how the farms will meet the terms of relevant state and federal fisheries and environmental law (e.g. Clean Water Act, ESA, MMPA).

6) **An analysis detailing the potential impact of dredging, drilling, and other sediment and bottom habitat disturbances** from aquaculture, including potential harms to seagrass, coral die-off, survival rates and displacement of ocean wildlife, as well as impacts from resuspension of any persistent, bioaccumulative toxicants already in the sediments, given existing and predicted net pen and alternative containment technologies.

7) **An identification of the areas of the ocean where aquaculture could compete with other uses** that are of significant social or economic value to the public or nation including: a) fishing grounds and routes to those fishing grounds, b) vessel traffic lanes, c) military sites and areas of concern regarding national security, d) national marine sanctuaries, marine reserves and other marine protected areas, e) areas used for public recreational purposes, like boating, diving, and recreational fishing, and f) other multiple use areas.

8) **An analysis of the likely impacts from the use of fish feed in offshore aquaculture** – including an analysis of any changes in pelagic fish populations and resulting impact on various predator fish species and endangered seabirds and mammals, and the economic impact to fishing communities – under several assumed levels of offshore commercial aquaculture and given existing and predicted feed technologies and rates.

9) **An analysis of the expected increase/decrease in the net amount of marine protein** available for human consumption under various types of offshore aquaculture utilizing various species of fish and shellfish.

10) **A detailed analysis of the amount of fossil fuel and other energy resources** used for ocean production of fish and the resulting impact on the economy under several assumed levels of offshore commercial aquaculture.

11) The **“Code of Conduct for Responsible Aquaculture Development in the U.S. Exclusive Economic Zone”**, prepared by the National Marine Fisheries Service in 2002 states, **“The Code adheres to the spirit and intent of the FAO Code of Conduct for Responsible Fisheries (CCRF) to which the United States is a signatory and strong supporter, and does not in any way contradict its principles”**.

Several articles of the FAO Code of Conduct for Responsible Fisheries are significant:

“States should apply the precautionary approach widely to conservation, management and exploitation of living aquatic resources in order to protect them and preserve the aquatic environment. The absence of adequate scientific information should not be used as a reason for postponing or failing to take conservation and management measures.”

(Article 7.5.1) "States should ensure that the livelihoods of local communities, and their access to fishing grounds, are not negatively affected by aquaculture developments." (Article 9.1.4) "States should protect transboundary aquatic ecosystems" (Article 9.2.1). "States should conserve genetic diversity and maintain integrity of aquatic communities and ecosystems by appropriate management. In particular, efforts should be undertaken to minimize the harmful effects of introducing nonnative species or genetically altered stocks... States should, whenever possible, promote steps to minimize adverse genetic, disease and other effects of escaped farmed fish on wild stocks" (Article 9.3.1). "States should regulate the use of chemical inputs in aquaculture which are hazardous to human health and the environment" (Article 9.4.5). "States should require that the disposal of wastes such as offal, sludge, dead or diseased fish, excess veterinary drugs and other hazardous chemical inputs does not constitute a hazard to human health and the environment" (Article 9.4.6).

Please respond with detailed descriptions of how NOAA, in the face of expansive aquaculture development, intends to comply with the precautionary approach and uphold the principals of the FAO Code of Conduct for Responsible Fisheries.

Thank you for responding to these questions and concerns. This letter will be available to members of Congress, NOAA's Science Advisory Board, as well as other interested parties. NOAA's timely response is appreciated.

Sincerely,

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