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NOAA Constituent Briefing
National Offshore Aquaculture Act of 2007
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HCHB Room B-841A

Good afternoon. I am [Sam Rauch](#), NOAA Fisheries' Deputy Assistant Administrator for Regulatory Programs. As Bill mentioned, I want to go over the specifics of the [2007 National Offshore Aquaculture Act](#), including the [revisions](#).

Right now, there is no clear mechanism for the permitting of aquaculture in federal waters. This regulatory uncertainty is widely acknowledged as the major barrier to the development of offshore aquaculture in the U.S. To solve the problem, the Administration requested that NOAA develop legislation to establish a regulatory structure for offshore aquaculture in the United States. [The National Offshore Aquaculture act of 2007](#) is based on a similar proposal which we presented in [2005](#). But, there are some specific [revisions](#) we made to strengthen the proposal.

First I want to review exactly what the [2007 Offshore Act](#) will do. It will:

- Authorize the Secretary of Commerce to issue offshore aquaculture permits.
- Require the Secretary of Commerce to establish environmental requirements.
- Require the Secretary of Commerce to work with other federal agencies to develop and implement a coordinated permitting process for offshore aquaculture.
- Exempt permitted offshore aquaculture from fishing regulations that restrict size, season and harvest methods.
- Authorize a research and development program for all types of marine aquaculture.
- Authorize funding to carry out the Act and provide for enforcement of the Act.

Revisions in this version of the Act include specific changes in the following areas - Environmental Requirements, Permits, Role of States, and Research.

Here are the specifics:

<p>Environmental Requirements</p> <ul style="list-style-type: none">- Added an explicit requirement for Secretary of Commerce to establish environmental requirements and monitoring procedures and data requirements (by changing “may” to “shall” in relevant provisions).- Added more specific language with respect to impacts on natural fish stocks, disease, escapes, water quality, cumulative impacts, monitoring, non-native species, and identification of farmed fish.- Added an explicit requirement to consider potential environmental, social, economic, and cultural impacts and appropriate permit conditions to address negative impacts.- Added an explicit requirement for the permit process to be established through rulemaking and consultations with coastal States and regional fishery management councils, including public notice and comment and preparation of an analysis under the National Environmental Policy Act.
<p>Permits</p> <ul style="list-style-type: none">- Calls for a single permit (instead of separate site and operating permits) for 20 years (instead of 10 years), renewable in increments of up to 20 years (instead of 5 years).
<p>Role of States</p> <ul style="list-style-type: none">- Added a new provision that would allow any coastal state to opt out of offshore aquaculture within 12 miles of its coastline.
<p>Research</p> <ul style="list-style-type: none">- The provision includes research for all marine aquaculture, not just offshore.- Added a new provision requiring collaborative research with the U.S. Department of Agriculture on alternative feed formulas to reduce the use of wild fish in aquaculture feeds.

With that, I will turn it back over to Kevin so we can take some questions.

Thanks.