



# Habitat Activities Update

**December Council  
Meeting**

**December 15, 2021**



# Why are we getting a Habitat Activities Update?

- Council told GARFO HCD we are most interested in hearing about and potentially engaging on the following:
  - Offshore projects: all projects, including energy development projects, cables and pipelines, mining, etc.
  - Nearshore/Estuarine Projects: focusing on large scale projects, including transportation and port development projects.
- Also interested in regular Council updates (bi-annual)





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# Habitat and Ecosystem Services Division Greater Atlantic Region Updates



Mid-Atlantic Fishery  
Management Council  
Dec 2021

<https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/habitat-conservation-and-stewardship-greater-atlantic>

# Habitat and Ecosystem Services Division (HESD) Updates

- Who we are and what we do
- Updates
  - Infrastructure/Ports
  - Coastal Storm Risk Management projects
  - Watershed and Fish Passage
  - Infrastructure Bill
- Aquaculture
- How NEFSC Science support HESD's mission - Oyster Aquaculture Gear as Fish Habitat



# Habitat and Ecosystem Services Division (HESD)

Our *mission* is to protect and restore habitat to sustain fisheries, recover protected species, and maintain resilient coastal ecosystems and communities.”

Our *vision* is for healthy and self-sustaining marine, estuarine, and riverine habitats that support vital ecosystem services, including abundant living marine resources, diverse human uses, and resilient coastal communities.



# Habitat and Ecosystem Services Division Strategic Goals

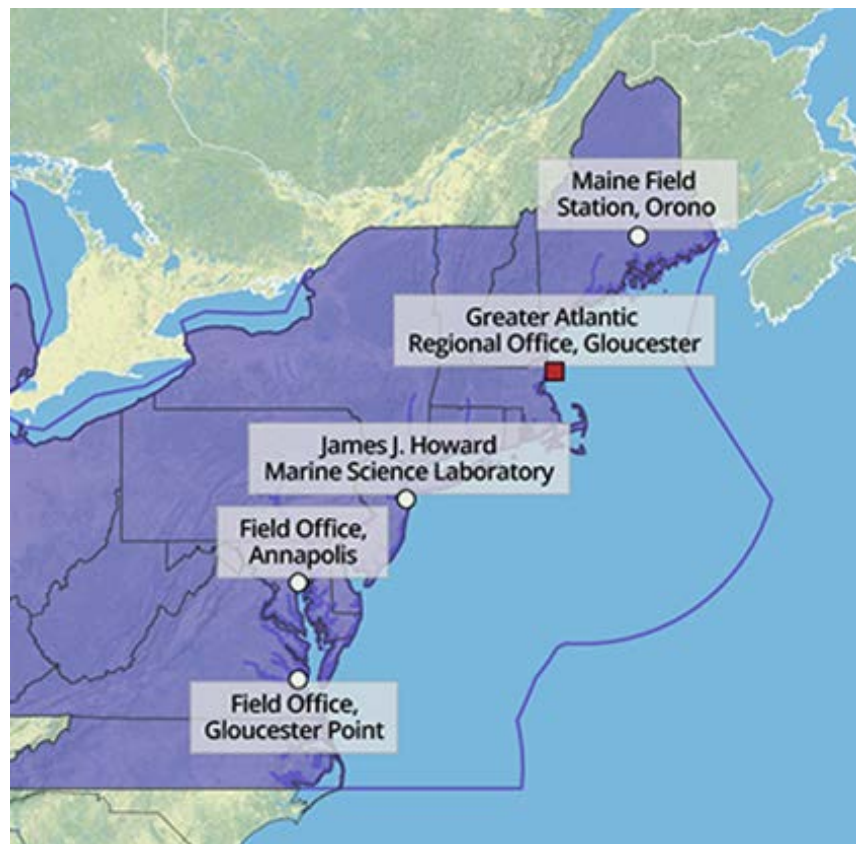
- Conserve priority habitats through existing consultation authorities.
- Promote stewardship of marine, estuarine, and riverine habitats and ecosystems through proactive, non-regulatory actions.
- Coordinate HESD actions with other NOAA programs for maximum effectiveness.
- Promote education and outreach to strengthen our stewardship of living marine resources.
- Promote research and use best available science to address regional ecosystem management needs.

# Division Branches and Offices

Ecosystem  
Management

New England  
Habitat  
Conservation

Mid-Atlantic  
Habitat  
Conservation



<https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/habitat-conservation-and-stewardship-greater-atlantic>



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# Ecosystem Management Branch

- Offshore Wind Regional Coordination
- Aquaculture Stewardship and Coordination
- EFH Consultations
  - Fisheries Management Plans
  - Offshore wind projects
  - Aquaculture projects





# Habitat Conservation

## Mid Atlantic and New England

- Essential Fish Habitat (EFH) and Fish and Wildlife Coordination Act (FWCA) consultations and early coordination
- Regional habitat stewardship & planning
- Watershed planning
- Climate & coastal resilience planning
- Promote fish passage through FERC hydropower relicensing
- Education and outreach



# Authorities

## Overlapping and Interrelated



- Magnuson Stevens Fishery Conservation and Management Act
- Fish and Wildlife Coordination Act
- National Environmental Policy Act
- Federal Water Pollution Control Act (Clean Water Act)
- Federal Power Act
- Energy Policy Act
- Deepwater Port Act
- Rivers and Harbors Act



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# Magnuson-Stevens Fishery Conservation and Management Act



Requires federal agencies to consult with NOAA Fisheries on all actions or proposed actions that they authorize, fund, or undertake that *may adversely affect* EFH. This includes actions in both state and federal waters.



Also known as EFH consultations



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# Fish and Wildlife Coordination Act

## Fish and Wildlife Coordination Act (FWCA):



Alewife  
(*Alosa pseudoharengus*)



Blueback Herring  
(*Alosa aestivalis*)



Hard clam (*Mercenaria mercenaria*)

Requires federal agencies to consult with us for activities that affect, control, or modify waters of any stream or bodies of water, to minimize the adverse impacts of such actions on fish and wildlife resources and habitat.



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# Activity Updates



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# Infrastructure/Port Development

- Delaware River Ports
  - Edgemoor/Diamond State Port Corp
  - Paulsboro
  - NJ Wind Port at Hope Creek
- South Brooklyn Marine Terminal
- New York and New Jersey Harbor Deepening Channel Improvements (NYNJHDCI)
- Norfolk Harbor Navigation Improvements
- NASA - Wallops Island



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# Coastal Resilience

## USACE Coastal Storm Risk Management Studies

- Nassau County Bay Bays
  - DEIS released with summer
  - primarily non-structural (elevations/flood proofing)
- New York and New Jersey Harbor and Tributaries Study
  - reactivated in Oct 2021
  - tentatively selected plan expected summer 2022
- New Jersey Back Bays
  - DEIS released this summer
  - 3 storm gates, 2 cross-bay barriers
  - Provided extensive technical assistance comments
- City of Baltimore
  - Reactivated fall 2021



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# Coastal Resilience

## Other Projects of Note:

- Virginia Middle Peninsula
- Mid-Chesapeake Bay Islands Ecosystem Restoration Project (Mid-Bay Islands)
- Baltimore Harbor Middle Branch Resiliency Initiative
- Seven Mile Island Innovation Laboratory
- NJ Bay Islands Initiative
- Atlantic Coast Joint Venture



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# River Herring and Watersheds

- Atlantic Coast River Herring Collaborative Forum
  - Enhance communication/collaboration across stakeholder groups
  - <https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/atlantic-coast-river-herring-collaborative-forum>
- River Herring Habitat Conservation Plan
  - Update to 2015 Plan developed by technical expert working group (TEWG)
  - Goal to compile recent information and provide recommendations



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# River Herring and Watersheds

- Susquehanna River Anadromous Fish Restoration Committee
  - Recent invasive species expansion is placing anadromous fish passage goals in jeopardy
  - SRAFRC working to find consensus approach
- Delaware River Fish and Wildlife Management Co-Op
  - Developing SFP for American shad to address bycatch
  - Recent development of a barrier removal prioritization tool by TNC



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# NOAA Funding in 2021 Infrastructure Bill

## Supportive of Coastal Habitat Restoration *-slide from NOS OCM*

- **General Considerations:**
  - Five years of funding, with equal amounts for fiscal years 2022 through 2026
  - Need to produce a detailed spend plan for FY 22 within 90 days
  - Secretary of Commerce may waive or reduce the required non-Federal share
- **National Ocean Service/Office for Coastal Management**
  - \$492,000,000 for National Oceans and Coastal Security Fund grants (aka National Coastal Resilience Fund)
  - \$207,000,000 for Coastal Zone Management habitat restoration projects\*
  - \$77,000,000 for habitat restoration projects through the National Estuarine Research Reserve System\*
- **National Marine Fisheries Service/Office of Habitat Conservation**
  - \$491,000,000 for contracts, grants, and cooperative agreements for habitat restoration or protecting ecological features that protect coastal communities from flooding or coastal storms;
  - \$400,000,000 for restoring fish passage by removing in-stream barriers, of which up to 15 percent shall be reserved for Indian Tribes or partnerships of Indian



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# Infrastructure Investment and Jobs Act

## Some highlights for other agencies:

- U.S. Fish and Wildlife Service
  - \$200M for restoring fish and wildlife passage under the National Fish Passage Program
  - \$26M for the Delaware River Basin Conservation Act
- U.S. Forest Service
  - \$10M for the removal of non-hydropower Federal dams and for providing dam removal technical assistance.
- Dept of Energy
  - \$125M hydroelectric production incentives
  - \$553.6M maintaining and enhancing incentives; pumped storage hydro, wind, and solar integration and system reliability;



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# Infrastructure Investment and Jobs Act

- Dept of Transportation
  - \$800M over 5 years for culvert removal and replacement grant program
- Dept Homeland Security - FEMA
  - \$ 3.5 billion for the Flood Mitigation Assistance Grant Program (FMA),
  - \$1 billion fo Building Resilient Infrastructure and Communities (BRIC) program
- US Army Corps of Engineers
  - \$1.5 B Harbor and Channel Construction
  - \$4 B Operations and Maintenance
  - \$2.55 B risk management of coastal floods a
  - \$1.90 B for aquatic ecosystem restoration
  - \$465 M for continuing authorities programs

\*source - Congressional Research Service



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# Regional Aquaculture Update



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# Aquaculture Opportunity Areas



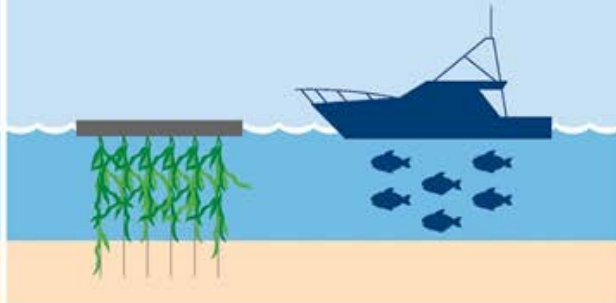
## What is an Aquaculture Opportunity Area?

**Aquaculture Opportunity Areas** show high potential for commercial aquaculture. A science and community-based approach to identifying these areas helps minimize interference with other enterprises, account for current fishing patterns, and protect the ecosystem.

AOAs will expand economic opportunities in coastal and rural areas, and increase our nation's seafood security.

AOAs use the best available science to find appropriate spaces for sustainable aquaculture.

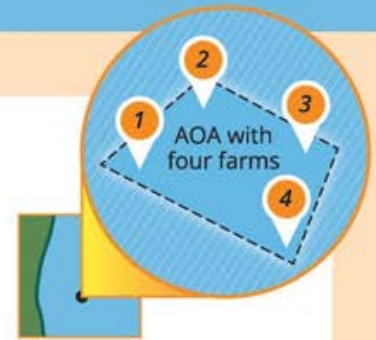
AOAs minimize interactions with other users, such as shipping, fishing, and the military.



### Assessment and Use of AOAs

Stakeholder input is essential in the design and location of AOAs and NOAA expects these areas will be shaped through a public process that allows constituents to share their community and stewardship goals, as well as critical insights.

AOA size, exact location, and farm types will be determined through spatial analysis and public input to expand sustainable domestic seafood production while minimizing potential user conflicts. Farms will still need to go through the permitting process and environmental reviews.



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# AOA's Timeline

May 2020 - EO published

August 2020 - NMFS used existing spatial analysis and public input to identify first two regions: *Gulf of Mexico and S. CA*

October 2020 - NMFS published RFI to inform the locations of first two AOAs within those regions and inform decisions on future regions for AOAs

- Mix of support and opposition/received input on locations for AOAs
- General opposition for AOAs in NE, OR, WA
- Support in AK, FL, USVI, PR, W. Pac.

November 2021 – Atlases published for Gulf of Mexico and S. CA.



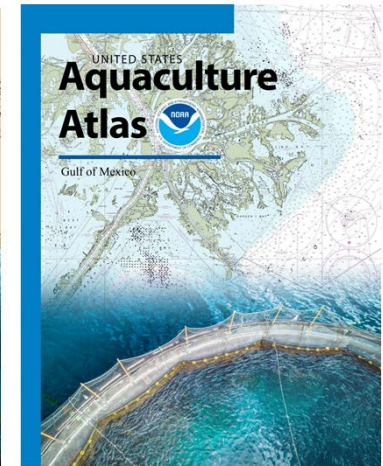
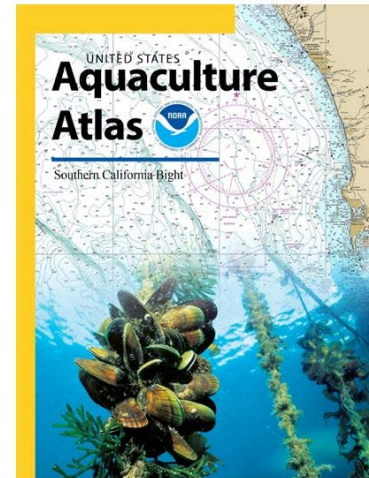
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# AOA Atlases

November 2021

- Atlas publications for Southern California and Gulf of Mexico
- Atlases provide comprehensive marine spatial analyses for each of the two regions
- Each Atlas used spatial modeling with over 200 data layers that characterize ocean neighborhoods and identified approximately 10 areas, or “options” in each region
- The aquaculture suitability models help identify the areas with the least conflict with the other ocean uses
- Reviewed by NMFS Center for Independent Experts



# Next Steps for AOA's

## Early 2022 –

- Notice of Intent (NOI) published to prepare PEIS for first two AOA's
  - Southeast and West Coast regions will complete PEISs for their respective regions
- Regions 3 and 4 announced based on October 2020 RFI
- A new RFI will follow to get input on focus areas for Regions 3 and 4 and potential Regions 5 and 6



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# Regional Coordination with Fishery Management Council Partners

NMFS region & NCCOS coordination with Councils:

- When NCCOS is gathering data for spatial analysis
- During public comment for Request for Information (RFI)
- When NCCOS Aquaculture Opportunity Atlas is published
- ***When Notice of Intent to prepare the PEISs publishes with preliminary alternatives***
- When draft PEIS publishes for public comment
- When final PEIS publishes to present selected alternative(s)



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# EEZ Aquaculture Projects Update

## Pre-Application Phase

### Manna Fish Farms

Steelhead Trout/Black Sea Bass, Offshore LI, NY

- Pre-Application meeting September 2020
- Agency comments on site alternatives/BES provided May 2021
- No active federal agency applications

### Rutgers/Surf Clam Industry Project

Surf Clams off Atlantic City

- 3-year surf clam cage culture research project to determine feasibility of growout for mitigation/commercial sales
- Funds awarded by NOAA in September 2021
- Working with ACOE/NMFS on permitting
- Working with FDA/NMFS Inspection on ISSC compliance
- First in-field work proposed for late 2022



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# EEZ Aquaculture Projects Update (cont'd.)

## Permit Application/Review Phase

### Salem State University – Blue mussels

- Offshore of Rockport MA
- ACOE application submitted on December 2019 to expand from 3 to 20 longlines on site originally permitted
- ACOE is working with applicant to obtain additional information to inform ESA consultation
- Working with FDA/NMFS Seafood Inspection on Interstate Shellfish Sanitation Committee compliance



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# EEZ Aquaculture Projects Update (cont'd.)

## Permit Application/Review Phase

### Blue Water Fisheries LLC.- Steelhead trout/ Atl. salmon off NH/MA

- Permit applications submitted January 2021
- ACOE application accepted June 2021, public comment July 2021
- EPA NEPA EIS determination July 2021
- NMFS Lead Federal Agency designation August 2021
- NOI expected spring of 2022
- NMFS working with proponent and EPA/ACOE to develop MOUs and prepare an RFI for a third party NEPA contractor



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# MSA Considerations Associated with the Addition of Atlantic Salmon to BWF Project

- NEFMC has an FMP for Atlantic salmon that prohibits possession in the EEZ, with some exception, including aquaculture
- CFR § 648.41 Framework specifications *states*
  - (a) Within season management action. The New England Fishery Management Council (NEFMC) may, at any time, initiate action to implement, add to or adjust Atlantic salmon management measures to:
    - (1) Allow for Atlantic salmon aquaculture projects in the EEZ, provided such an action is consistent with the goals and objectives of the Atlantic Salmon FMP
- NEFMC added “Develop action to facilitate Atlantic salmon aquaculture proposals in the EEZ.” to their 2022 List of Council Priorities



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# ASMFC Aquaculture Funding Opportunity

- RFP released in partnership with NMFS Office of Aquaculture
- \$600k for pilot projects for sustainable aquatic farming techniques and regional business practices to grow domestic seafood
- Proposals due Feb. 1, 2022
- Funding period July 1, 2022 - June 30, 2023
- East coast focus area, proposals between \$75k-\$200k, approx. 3-5 projects funded
- US academic inst., research labs, non/for-profits, state agencies
- [Aquaculture@asmfc.org](mailto:Aquaculture@asmfc.org)



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# Questions?



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