



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER NICOLE “NIKKI” FRIED
THE CAPITOL

June 10, 2020

The Honorable Wilbur Ross
Secretary
U.S. Department of Commerce
1401 Constitution Avenue NW
Washington, DC 20230

Dear Secretary Ross,

I write to you today as Florida’s Commissioner of Agriculture on behalf of Florida’s robust and diverse seafood and aquaculture industries, and in response to the Executive Order (EO) “Promoting American Seafood Competitiveness and Economic Growth” issued by the White House on May 7, 2020.

In line with the Executive Order’s objectives, Florida’s seafood industry, which generates \$3.2 billion annually and supports more than 76,000 jobs, actively supports the bolstering of the national seafood sector by increasing competitiveness through critical international seafood trade reform and enhancing protection of the nation’s sustainably managed fisheries. As Florida’s lead aquaculture agency, the Florida Department of Agriculture and Consumer Services (FDACS) strongly urges the U.S. Department of Commerce to consider Florida as a vital partner in enacting these critical goals.

As one of the fastest growing agribusinesses in the world, aquaculture is rapidly expanding in both diversity and scale to meet the growing demand for safe, affordable, and nutritious seafood commodities. While the U.S. has been a leader in technological innovations and production research, our country has experienced virtually none of the economic benefits due to cumbersome and uncertain federal policies, or the lack thereof.

It is evident through the issuance of this EO and the introduction of the bipartisan Advancing the Quality and Understanding of American Aquaculture Act (H.R.6191), that the federal government is willing to make the necessary policy changes and investments to increase domestic aquaculture production. As the U.S. Department of Commerce takes steps to enact Sections 6, 7, and 9 of this EO, I encourage you to consider the Florida Department of Agriculture and Consumer Services as a potential partner in supporting permitting procedures, ready to seize the development opportunities forthcoming.

Florida is uniquely positioned to advance an environmentally sustainable offshore aquaculture industry in the Gulf of Mexico and the southern Atlantic Ocean. Our state has a proven and streamlined submerged-lands leasing process for marine aquaculture that has functioned for decades, and to date oversees 1,304 aquaculture lease parcels covering 3,918 acres of state waters. As acknowledged in the EO, security of tenure for a minimum of ten years — already well established in Florida law — is essential for aquaculture leaseholders to secure capital and investor confidence for business development.

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Our Department has been actively engaged at the state level in developing the offshore aquaculture industry similarly aligned with the EO objectives for several years. In partnership with the National Oceanic and Atmospheric Administration's National Center for Coastal Ocean Science (NOAA NCCOS), the Offshore Aquaculture Spatial Planning in Florida project has identified several large areas in the Gulf of Mexico ideal for the development of Aquaculture Opportunity Areas in state and federal waters off of Florida's coast, critical for the development of this offshore industry.

The Florida Department of Agriculture and Consumer Services has a long and established history of working with the U.S. Army Corps of Engineers (USACE) to develop, update, and manage permits for marine aquaculture. Not only do we maintain a unique general permit for shellfish and live rock aquaculture in state waters, but we are also actively working to modify this permit to allow seaweed farms to be sited in state waters. However, our permit modification review and consultation process has now been underway for more than one year with no significant progress from NOAA nor USACE. This resource-intensive and time-consuming permitting process is difficult for state agencies with extensive expertise to navigate, much less individual businesses.

Our experiences underscore the desperate need for transparent and streamlined federal permitting mechanisms. I cannot overstate the need for a "One Federal Decision" process for aquaculture permitting and timely interagency review of both state and public permit requests.

I am formally requesting that the U.S. Department of Commerce consider Florida when designating Aquaculture Opportunity Areas within the next year. Our proactive work with NOAA NCCOS and distinctive regulatory framework would allow us to proceed with the Environmental Impact Statement process expeditiously. We also actively support the inclusion of state waters as the USACE works to develop nationwide permits for finfish and seaweed aquaculture, as stated in Section 6, subparts (b)(ii) and (iv) of the EO.

I urge the U.S. Department of Commerce and Congress to take bold action to enact common-sense policies that will advance sustainable offshore aquaculture and benefit American farmers, the jobs they support, and the families they feed. As Florida's Commissioner of Agriculture, our Department and Division of Aquaculture stand ready to assist with these new efforts.

Sincerely,



Nicole Fried
Commissioner of Agriculture