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Reply to: Venice

MEMORANDUM

TO: Mayor Feinsod and Members of the City Council

FROM: Kelly M. Fernandez, Esq., City Attorney

DATE: December 1, 2020

RE: Resolution No. 2020-50

At its meeting on November 17, 2020, City Council directed staff to draft a resolution opposing the U.S. Environmental Protection Agency's (EPA)'s preliminary approval of wastewater discharge for a finfish marine aquaculture project in the Gulf of Mexico. In preparing the Resolution, it was determined that the EPA issued the National Pollutant Discharge Elimination System permit for the Ocean Era, Inc. Aquatic Animal Production Facility on September 30, 2020, which became effective on October 30, 2020. Given the completion of EPA's consideration of this permit application, the more generic language from the City of Holmes Beach's adopted Resolution is being presented for consideration to City Council in lieu of the language proposed by the Environmental Advisory Board.



CITY OF VENICE

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Office of the Mayor

May 25, 2021

Mr. Craig Hesterlee
USEPA Region 4, NPDES Permitting
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960 May 3, 2021

Re: NPDES Permit for Ocean Era, Inc – Vellella Epsilon Offshore Aquaculture Project

Dear Mr. Hesterlee:

The City of Venice ("Venice") is a municipality in Sarasota County, Florida that has almost 4 miles of beaches along the Gulf of Mexico and a population of over 20,000 people. The natural environment, especially the Gulf of Mexico and its beaches, draws both residents and visitors to Venice. Tourism is one of the area's primary economic drivers. In 2018-2019, Southwest Florida was seriously impacted by a persistent red tide (*Karenia brevis*) bloom. Research is still being done to determine why this event happened and what can be done to prevent or ameliorate a future bloom. On behalf of its residents, businesses, and visitors, the Venice City Council is very concerned about any activity that may exacerbate naturally occurring cycles of red tide or otherwise degrade water quality and marine wildlife. Venice respectfully requests that no action be taken on permits, such as the one for Ocean Era, Inc., until sufficient studies and reviews have been completed to ensure the environment will not be negatively impacted.

Respectfully,


R. Feinsod (May 25, 2021 14:56 EDT)

Ron Feinsod, Mayor
City of Venice

cc Venice City Council
Ed Lavallee, Venice City Manager



City of Venice

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Legislation Text

File Number: 22-5704

Agenda Date: 7/13/2022

Version: 1

Status: Board Recommendation

In Control: Environmental Advisory Board

File Type: Agreement

Agenda Number:

Aquaculture

EPA grants permit for aquaculture project off Sarasota County

Earle Kimel Sarasota Herald-Tribune USA TODAY NETWORK June 18, 2022

The EPA approved the permit for the Ocean Era aquaculture demonstration project in federal waters off of Sarasota County on June 8 – the same day another federal agency opened its public comment period on nine potential aquaculture sites in the Gulf of Mexico. The Environmental Protection Agency had withheld final approval for the Ocean Era project pending clarification of whether discharges of waste generated by the fish would degrade the water.

The project, which would see about 20,000 Almaco jack fish raised in a net pen 45 miles offshore from Sarasota County between Venice and Englewood, requires an EPA permit because the water that flows through the net pen is considered to be “effluent,” and so the nutrient levels will need to be monitored. Don’t Cage Our Oceans, a coalition of organizations that has opposed the Ocean Era project since it was first proposed in 2019, refers to the waste the fish produce as “untreated industrial wastewater.”

“I think it matters how you characterize the antibiotics and the raw sewage that comes from the fish,” said Marianne Cufone, an environmental attorney who is also executive director of the Recirculating Farms Coalition. “Remember, it’s also intensified as it is a unit of fish that wouldn’t normally be found together in the wild. “So it’s concentrated fish waste and chemicals all in one location.”

Cufone said the coalition is still deciding whether to challenge the permit in federal court. The 120-day window to do so started on June 8. The coalition also has issued a public appeal for President Joe Biden to repeal Executive Order 13921, issued in May 2020 by then-President Donald Trump, that is designed in part to promote aquaculture projects in U.S. waters. And it continues to lobby Congress to pass the Keep Finfish Free Act.

Local officials raise concerns

Local officials voiced enough concern about the aquaculture project that in 2020, the U.S. Army Corps of Engineers extended public comment on its permit process and hosted a public meeting at Mote Marine Laboratory & Aquarium. One of the main issues was the potential impact the concentration of fish waste could have on red tide.

Local governments – notably the cities of Holmes Beach and Sarasota – took positions against the proposed project. The city of Venice, technically the closest local government to the proposed net pen, did not, though it sent the EPA a letter urging that the permit be studied thoroughly before approval.

Mote will provide fingerling Almaco jack spawned and raised at its land-based Mote Aquaculture Research Park to Ocean Era and partner with the company on water monitoring. Dennis Peters, executive director of Gulfstream Aquaculture, said a main purpose of the project – referred to as Velella Epsilon – is to answer questions about the environmental impact of offshore net pen aquaculture.

Peters is partnering with Neil Anthony Sims, CEO of Ocean Era Inc., on Velella Epsilon. “Something like this demonstration project really is necessary to prove the misinformation and disinformation that’s out there,” Peters said. “That’s why we proposed to do it from the beginning; it’s to do a very thorough and rigorous water quality monitoring program to demonstrate that there are very minimal if any detectable nutrient impacts to the environment, whether it’s water quality or sediment quality. This is what the public wants to know, they want to know if it’s harmful or not and it takes a demonstration or pilot project just like this to be able to demonstrate that information to the public and stakeholders,” he added.

He called the volume of waste produced by the caged fish virtually nothing. “We’re going to be harvesting 17,000 fish, starting with 20,000 fish, and the amount of feed and organic waste from the fish is really nothing,” Peters said.

Cufone argues that existing science should be enough. “Do you really think dilution is the solution to pollution?” she asked rhetorically “I think we’ve proven pretty emphatically through science that everything goes somewhere and so if there’s a concentrated point source of pollution in one place, while it may or may not impact that one place, it certainly goes somewhere and impacts a place or multiple places. “I can point you to the Gulf dead zone,” she added, referencing an area of low or no oxygen in the Gulf of Mexico that’s believed to be caused by nutrients washing down through the Mississippi River, that can kill fish and marine life.

17,000 fish a year

The net pen would be 17 meters in diameter and 7 meters deep, and 40 meters below the surface. It would be anchored to the bottom and tended by a feed barge that would be tethered to the side of the net pen. The fish would grow to market size within 12 months. Peters said, after allowing for mortality, the goal is to produce 17,000 marketable fish. Those fish can vary in size up to 4.5 pounds.

Partly to promote public acceptance, recreation and commercial fishermen will be encouraged to troll near the net pen, since typically pens attract other fish to the area, too.

While the EPA has granted its permit, the U.S. Army Corps of Engineers must still approve construction and anchoring of the net pen. Peters anticipates that to occur within 30 days, with another four to six months of planning and logistical coordination before it becomes operational. “There won’t be fish in the water for at least six months,” he added.

While Velella Epsilon would be the first aquaculture project of its type in U.S. waters, U.S.-based companies have already established businesses elsewhere in tropical waters. In January, Forever Oceans, based in Gainesville, Virginia, signed a 20-year deal with the Brazilian government to create a 160,000-acre fish farm in the South Atlantic Ocean, according to a Jan. 13 media release. The Forever Oceans project would raise Amberjack in two zones off the state of Bahia, which would reportedly be the largest of its type in the world. Forever Oceans has an Amberjack aquaculture farm off of Panama and is planning one in offshore Indonesia.

Miami-based Open Blue Cobia has been raising cobia in net pens in the Caribbean off of Panama since 2007. Don’t Cage Our Oceans and Recirculating Farms is attempting to stop the growth of similar operations in U.S. waters.

The National Oceanic and Atmospheric Administration’s recent call for input as it assesses impacts from nine proposed commercial aquaculture sites in the Gulf of Mexico – including areas offshore of Collier, Sarasota and Pinellas counties – is part of the process to establish a framework for that expansion. Nominally, their argument is based on opposing a corporate takeover of otherwise public waters.

Cufone stressed the coalition specifically opposes offshore finfish aquaculture. “There’s a number of different kinds of open water aquaculture that a lot of different organizations support, depending on the size and the different rules that they’re following,” Cufone said. “Generally speaking, we – meaning Recirculating Farms – doesn’t challenge shellfish farms because it’s just a completely different type of operation than offshore fishing aquaculture. “In fact, I’ve been to Cedar Key and I think it’s a great operation,” Cufone said, then added that Recirculating Farms supports community-based seafood production, as well as land based finfish aquaculture that can also be designed to work with agriculture – which is known as aquaponics.

"They mimic nature; this is how ecology works," Cufone said. "Oftentimes you'll see beautiful plants growing around lakes or rivers and it's kind of the same concept. The fish in the water do what they do and make nutrients and the nutrients flow to the plants." Cufone said that money would be better spent supporting those land based efforts and improving environmental conditions to promote wild-caught fisheries.

Peters noted that while NOAA Fisheries has been making progress and, in some cases, bringing back imperiled wild fish stocks, that won't be enough to meet increased demand both in the U.S. and worldwide. "At the end of the day the increase in population worldwide – not just the United States – and U.S. demand for seafood has to come from a different source," Peters said. "It can still come from wild-caught fisheries, but it has to be supplemented from aquaculture. "We don't have wild cattle, chicken and buffalo roaming the ranges anymore, we farm them and in a meaningful way, we have to farm fish as well."

Earle Kimel primarily covers south Sarasota County for the Herald-Tribune and can be reached at earle.kimel@heraldtribune.com.