

MAGNUSON-STEVENS ACT 1999-2006:

BUILDING A NATIONAL FRAMEWORK FOR SUCCESS

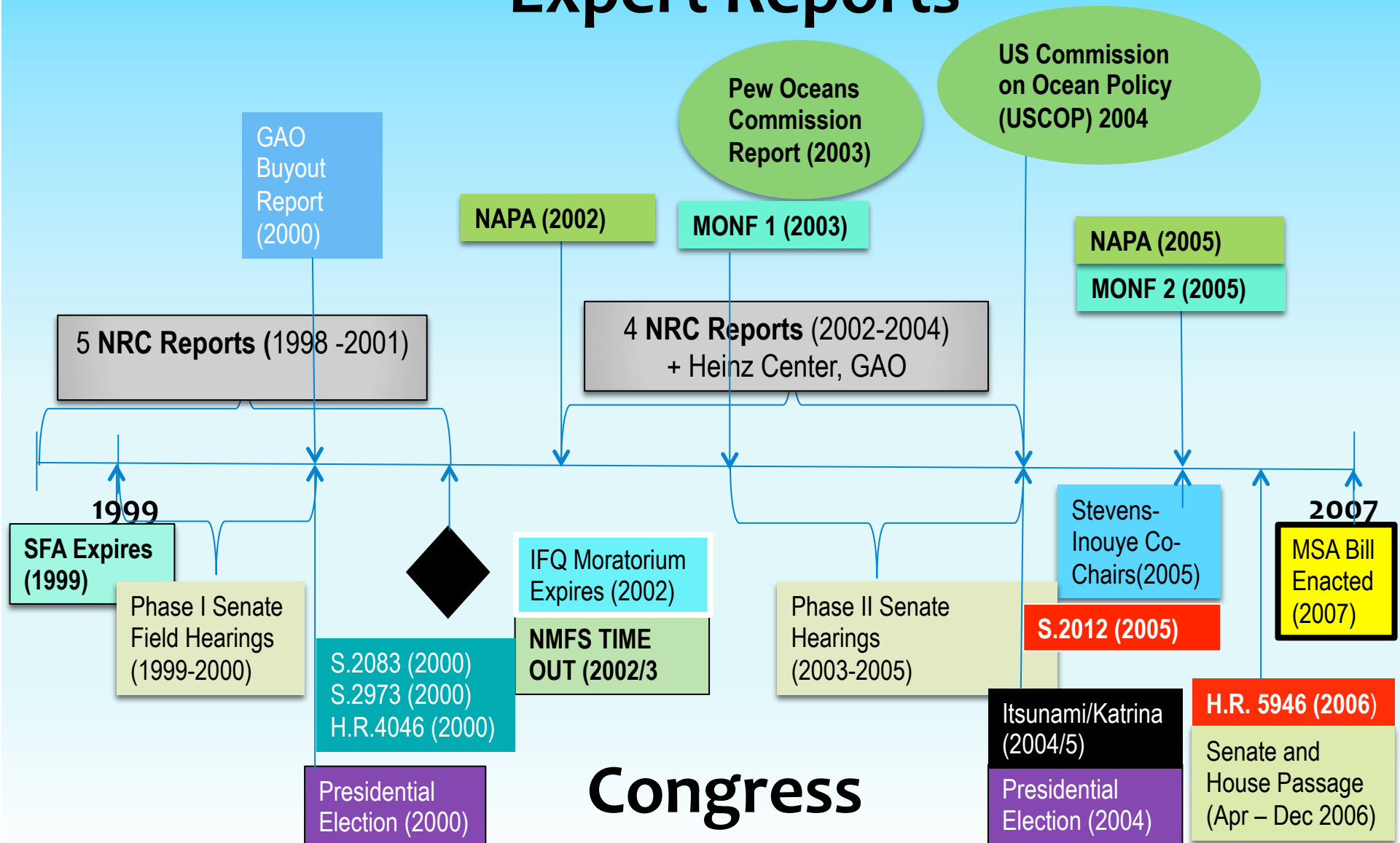
Bevan Symposium 2014

Margaret Spring

Monterey Bay Aquarium

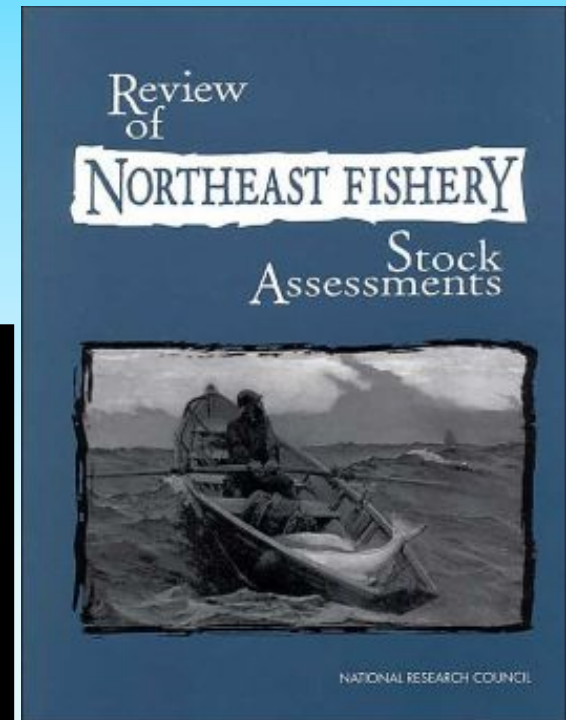
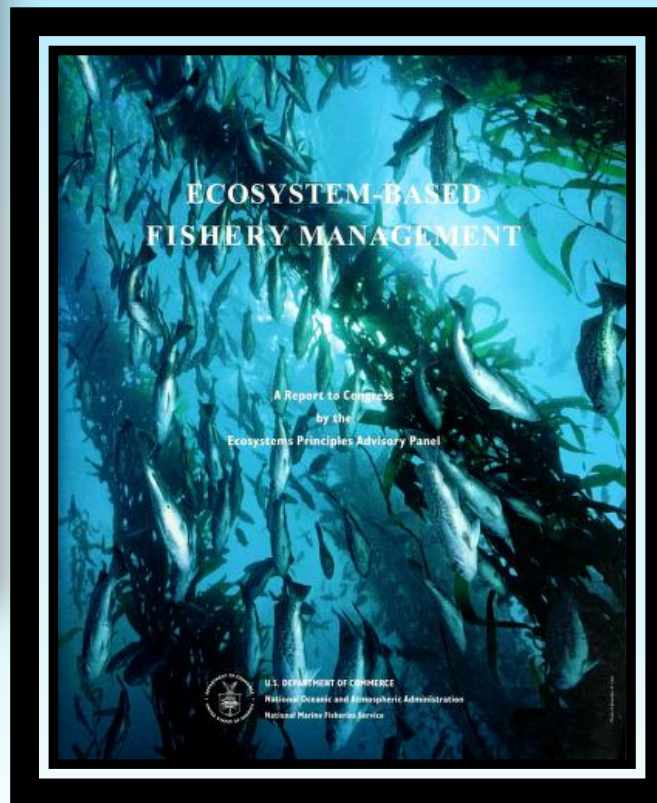
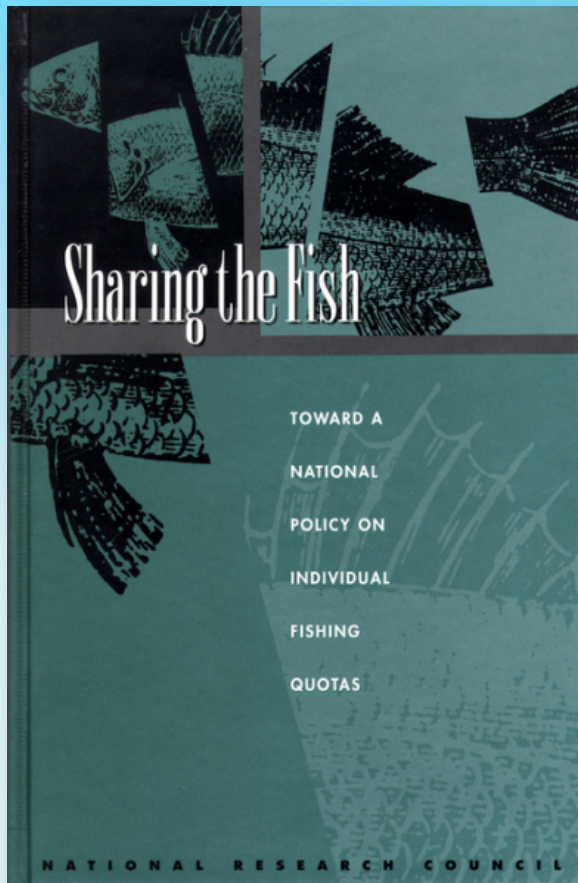
... A LONG ROAD TO THE 2006 AMENDMENTS

Expert Reports



EARLY REFLECTIONS ON SFA	1999-2001 (PHASE 1)
Time & Resources Needed	<ul style="list-style-type: none"> • 3 years for SFA + AFA • No funding package = litigation
Actual Performance Matters <ul style="list-style-type: none"> • Northeast struggles • Good models elsewhere 	<ul style="list-style-type: none"> • “Plans” to End O/F Not Effective • Bycatch and habitat – slow • North Pacific Progress on all 3
No Substitute for Responsible Management <ul style="list-style-type: none"> • “Disasters” vs • Proactive Planning 	<ul style="list-style-type: none"> • Boom & bust cycle disrupts communities and recovery • GAO questions buyout effectiveness • Co-management possible <ul style="list-style-type: none"> - AK industry-funded loans and risk reduction coops

SFA-MANDATED REPORTS



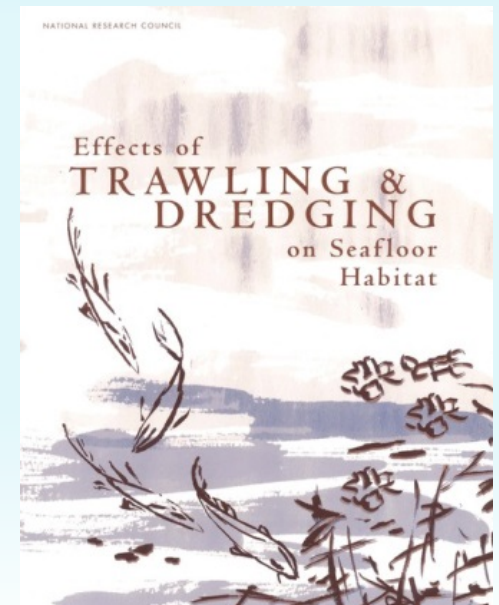
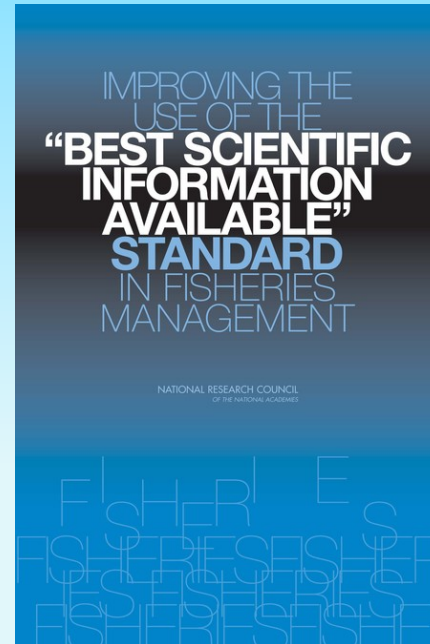
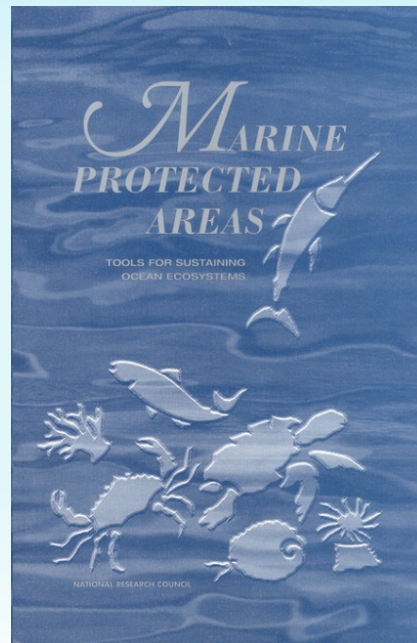
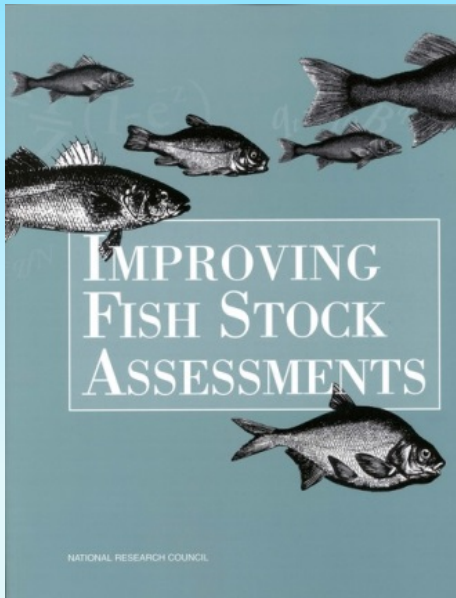
NRC, 1998 STUDY OF NORTHEAST FISHERY STOCK ASSESSMENTS

“The committee finds no scientific basis to support assertions that the regulations imposed by Amendment 7 are too severe from a biological perspective. the regulations in Amendments 5-7 might have been avoided if fishing mortality in the New England groundfisheries had been effectively controlled from the mid-1980s.”

Authors: Quinn, Anderson, Getz, Hilborn, Jones, Maguire, Parma, Schweder, Stefansson

MAJOR INFLUENCES	Phase 2: 2002-2006
Expert Commissions and Reports	<ul style="list-style-type: none"> • NAPA, NRC, Other Panels • USCOP, & Pew Ocean Commission • MONF 1 and 2
Leadership	<ul style="list-style-type: none"> • Congress and Agency Expertise • Drive to “Complete” SFA • International Threats
Regional Challenges/ Solutions	<ul style="list-style-type: none"> • Overfishing and Crisis Management • Council Discretion, Representation • Effort Control vs - IFQs, Sectors, “PQ” • Buyouts and Capacity Reduction • Recreational Sector Growth
Litigation/Court Decisions	<ul style="list-style-type: none"> • Rebuilding (>50% rule) • New England “Court Management” • Essential Fish Habitat decisions • NEPA process • ESA & international fleets (turtles)

EXPERT REPORTS ON TOPICS OF INTEREST TO NOAA AND CONGRESS



2004 U.S. COMMISSION ON OCEAN POLICY AND 2003 PEW OCEANS COMMISSION

- Move toward *ecosystem based management*
- Expand use of *dedicated access privileges*
- More *public representation*;
- Decrease *overcapitalization*
- *Permanent Funding*

- Strengthen role of *science in management*
- Address *bycatch* and gear technology
- Protect essential fish *habitat*
- Improve *enforcement*
- Improve *International compliance*

**TESTIMONY BEFORE
THE SENATE
COMMERCE
COMMITTEE, 2003**



Commissioner
Paul Kelly

.."regional flexibility, while a great strength of the law, also had a downside as some Councils set unsustainable harvest levels, leading to the collapse or near-collapse of several important fisheries.

Fundamental weaknesses in Council management processes have led to overexploited stocks and ecosystem degradation in some regions.

However, the management practices in other regions, particularly the North Pacific, protected fisheries from overexploitation and served as a model for many of the Commission's fisheries recommendations."

SUCCESS FACTORS

- ***Leaders Agree “We Have a Problem”***
 - *Overfishing Must End and Stocks Must Rebuild*
- ***Bipartisan Leadership & Experience***
 - *Congress, Commissions, Agency*
 - *Bridged Major Turnover/Change Points*
- ***White House & Congress Aligned on Goals***
 - *A “time out” with help for implementation*
- ***Successful Models Showed Possibilities***
 - *New National Approach*

A NATIONAL BLUEPRINT COMES TOGETHER -- WEST COAST ELEMENTS

- ✓ ***Councils Adhere to Science Advice***
- ✓ ***Enforceable Target & Bycatch TACs***
- ✓ ***Full Catch Accounting (Observers, Etc.)***
- ✓ ***Cooperatives - Share and Manage Risk***
- ✓ ***Regional Bycatch Plans; Gear Innovation***
- ✓ ***Cooperative and Industry-funded research***
- ✓ ***Fight IUU and International Bycatch***
- ✓ ***Industry funded Buybacks***

Unanimous Consent to:

- *Science-Based Decisions*
- *Annual Catch Limits (ACLs)*
- *Criteria for IFQs, Coops, and Communities*
- *Recreational Registry*
- *Process Reforms*
- *Regional Bycatch Program*
- *Habitat Restoration*
- *Economic Impact Rigor*
- *International Compliance*
- *MSA Fund*

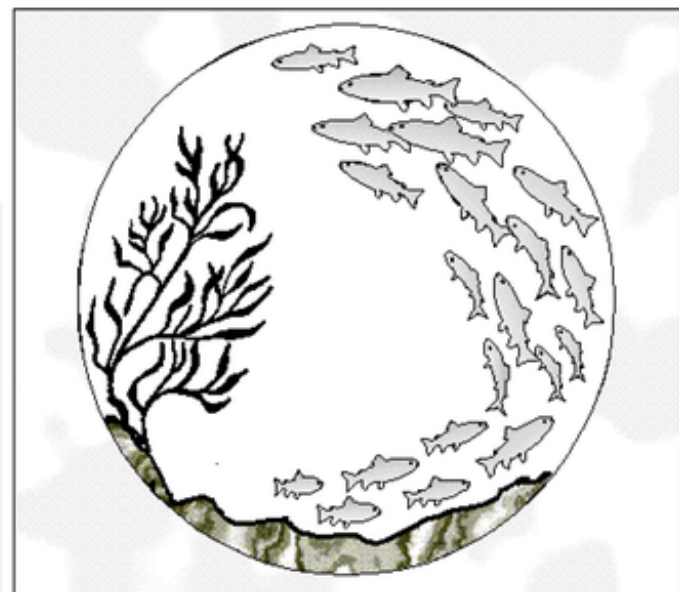


- *Final Passage December 2006*
- *Signed and Transmitted to the White House January 2007*



Magnuson-Stevens Fishery Conservation and Management Act

As Amended Through January 12, 2007



U.S. Department of Commerce
Carlos M. Gutiérrez, Secretary

National Oceanic and Atmospheric Administration
Vice Admiral Conrad C. Lautenbacher, Jr., USN (Ret.)
Under Secretary for Oceans and Atmosphere

National Marine Fisheries Service
William T. Hogarth, Assistant Administrator for Fisheries

What is the MSA's importance in the global seafood industry?

REFLECTION
FROM
SENATOR
STEVENS
2007

“We have to find some way to have these concepts applied to the high seas, especially illegal, unreported and unregulated activities.... The future of the fishing capabilities of every nation depends on finding some way to not abuse the fisheries on the high seas”

