

# Appendix



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### The Definition of Fishing Communities

The use of the term “fishing community” in this report is not the same as the legal use of the term in the Magnuson-Stevens Fishery Conservation and Management Act or MSA (P.L. 94-264, as amended by P.L. 109-479). The authors of this report use “fishing community” to refer to any place in which landings of commercially or recreationally caught fish are made or processed.

Section 3(17) of the MSA defines a fishing community as “a community which is substantially dependent on or substantially engaged in the harvest or processing of a fishery to meet social and economic needs, and includes fishing vessel owners, operators, and crew and United States fish processors that are based in such community.” National Standard 8 (section 301(a)(8)) of the MSA states that “[c]onservation and management measures shall, consistent with the conservation requirements of this Act (including the prevention of overfishing and rebuilding of overfished stocks), take into account the importance of fishery resources to fishing communities by utilizing economic and social data that meet the requirements of paragraph (2),<sup>1</sup> in order to (A) provide for the sustained participation of such communities, and (B) to the extent practicable, minimize adverse economic impacts on such communities.”

Subsequent NMFS guidelines specified that the definition of “fishing community” referred only to a geographic location or place, including its residents and businesses, substantially dependent on or substantially engaged in the harvest or processing of fish to meet the social and economic needs of that community.<sup>2</sup> These guidelines have been in force since 1998. It must be noted that ports or places which do not meet these criteria for a “fishing community” and communities of interest – such as gear groups or groups targeting a particular species – are considered under the fishery impact assessment requirements of MSA section 303(a)(9). Minorities and/or low income populations are further considered under Executive Order 12898 on environmental justice.

The communities included in this report were selected by experts in each region primarily on the basis of pounds of fish reported landed in 2006, and are not necessarily Magnuson-Stevens Act “fishing communities.” Further analysis would be required to make this determination.

<sup>1</sup> “Paragraph (2)” refers to National Standard 2 (section 301(a)(3)) which states that “[c]onservation and management measures shall be based upon the best scientific information available.”

<sup>2</sup>For more information, please refer to the “Guidelines for Assessment of the Social Impact of Fishery Management Actions” available at: [http://www.nmfs.noaa.gov/sfa/reg\\_svcs/social\\_impact\\_assess.htm](http://www.nmfs.noaa.gov/sfa/reg_svcs/social_impact_assess.htm).