

MAGNUSON-STEVENSONS REAUTHORIZATION ACT



NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION • UNITED STATES DEPARTMENT OF COMMERCE

On January 12, 2007, President Bush enacted the Magnuson-Stevens Fishery Conservation and Management Act Reauthorization Act of 2006. The Act, first adopted in 1976 and last amended in 1996, guides America's marine fisheries policy and science programs, and gives NOAA's Fisheries Service authority to manage the nation's \$62 billion marine commercial and sport fishing industries.

When Congress first passed the Magnuson Act in 1976, the United States claimed its sovereign marine territory out to 200 miles and eliminated foreign fleets from these waters. The goal was to build domestic fisheries with a focus on efficiency and economic growth. The 1996 amendments highlighted the need to balance this growth with conservation for long-term sustainability.

The 1996 amendments, known as the Sustainable Fisheries Act, gave fishery managers new mandates and some legal tools to address the overcapitalization of some of our fisheries, while promoting sustainable fisheries. Although most of our fish stocks are healthy, agency leaders recognized that new tools were needed to accelerate fisheries restoration for the remaining overfished stocks in order to support the ultimate long-term health of the nation's marine ecosystems,

and to ensure that Americans have a healthy seafood supply for years to come.

In his 2004 Ocean Action Plan, President Bush laid out a strategy for moving further and more quickly towards achieving sustainable fisheries. NOAA began to work with Congress to ensure some of our priorities were reflected in the reauthorized Magnuson-Stevens bill:

- End overfishing
- Increase the use of market-based management programs
- Improve science, particularly the ability to monitor recreational fishing
- Strengthen efforts to stop global illegal, unregulated, and unreported fishing

Magnuson-Stevens Reauthorization Act of 2006 Highlights

End Overfishing: Scientists recognize that ending overfishing is critical to rebuilding stocks that have been overfished. NOAA's Fisheries Service is required to have annual catch limits in place by the year 2010 for fisheries where overfishing is occurring, and by 2011 in all other fisheries. This new mandate would end overfishing and increase accountability to ensure that fish stocks stay within sustainable levels.

Increase Market-Based Management

Programs: Market-based management has been used to successfully manage some U.S. fisheries, and the U.S. Ocean Action Plan calls for NOAA to double the number of these programs. Limited Access Privilege Programs (LAPPs) are a type of market-based program that allocate a certain share of the annual catch to privilege holders, thereby reducing fleet overcapacity and protecting the economic viability of the fishery. LAPPs promote safety, economic prosperity, and a conservation ethic by reducing the "race to fish." Under LAPPs, fishermen have more control over when and how to fish based on the market and safety issues. The new law limits the amount of catch a privilege holder may harvest, thereby protecting fishing families from corporate consolidation.



Processors sorting through fish for the market

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Improve Science: The new law includes a number of items to improve NOAA's fisheries science program, including a stronger role for each regional fishery management council's science and statistical committee, enhanced peer review processes, new regional programs for ecosystem research, and a requirement for each council to develop five-year research priorities based on their management needs. A major change under the new law will require anglers and spearfishers who fish recreationally in federal ocean waters to be registered before fishing. NOAA's Fisheries Service is in the process of developing a national database of saltwater anglers, in an effort to improve the quality and accuracy of data on marine recreational fishing and catches. The new registry will help measure the economic effects of recreational fishing on the national and local economies.

Address Global Problems of Illegal, Unreported, and Unregulated Fishing, and Bycatch: The new law requires NOAA to submit a biennial report to Congress on international compliance with fishery laws so the United States can better monitor other countries' willingness to sustain the world's oceans, and to take action when needed. It requires NOAA's Fisheries Service to certify whether fishing nations are addressing IUU fishing and bycatch. Nations found not in compliance could face sanctions by the United States. NOAA also will provide recommendations to the State Department and Congress on ending overfishing throughout the world. The new law includes several other measures to improve

NOAA's international program, such as calls for better fisheries monitoring and compliance, technology assistance to help other countries be better ocean stewards, and a strengthening of multi-nation fishery management organizations.

Other Issues Addressed in the Law

Congress included a number of additional provisions in the new law to improve fisheries science and management, and to streamline internal procedures to reduce redundant reviews and costs. Some of these provisions include:

- Stronger conflict of interest rules for fishery managers
- Protections for deep sea coral and other non-targeted species under fishery management plans
- Joint enforcement agreements between the federal and state governments to enhance enforcement of fisheries regulations
- Authority for the community-based restoration program for fishery and coastal habitats
- Development of a regional coastal disaster assistance, transition and recovery program
- Fisheries hurricane assistance program

The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 has given NOAA new tools to improve the nation's stewardship of our oceans. Implementation of this new law will be tough, but NOAA is poised to meet the challenge. 🌊