



# **Magnuson-Stevens Fishery Conservation and Management Act Brief Background**

**Caribbean Fishery Management Council  
Technical Advisory Panel (TAP)  
June 1-2, 2020 Meeting**

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# Goals of Presentation

- Provide brief overview of Magnuson-Stevens Fishery Conservation and Management Act (MSA) as backdrop for TAP discussion of ecosystem management
- Describe “National Standards” for fishery management
- Describe required and discretionary elements of Fishery Management Plans



## **MSA Overview (16 U.S.C. § 1801 et seq.)**

- Establishes exclusive Federal management authority over fishery resources of the U.S. Exclusive Economic Zone
- Creates eight regional fishery management councils responsible for fisheries management within their jurisdiction\* (Section 302)



## Caribbean Fishery Management Council

- Authority over the fisheries in U.S. EEZ in the Caribbean Sea and Atlantic Ocean off USVI and Puerto Rico (except for highly migratory species)
- 7 voting members

**Magnuson-Stevens Act**



## Role of Fishery Management Councils

- The Councils' primary responsibility is to develop FMPs or FMP amendments
- Section 302(h)(1) requires a Council to prepare an FMP "for each fishery under its authority that requires conservation and management."



## **All FMPs and their implementing regulations:**

- Must be consistent with ten “National Standards,”
- Contain required elements, and
- If discretionary provisions are adopted in the FMPs, be consistent with applicable requirements.



# National Standards

## What are the National Standards?

- 10 policy objectives for fishery management
- Guiding principles for management



## **(1) Prevent Overfishing & Achieve Optimum Yield**

(2) Use best scientific info available

## **(3) Manage stock throughout range**

(4) Ensure fair & equitable allocations across states

(5) Consider efficiency in fishery resource utilization

## **(6) Allow for variations & contingencies**

(7) Minimize costs & avoid duplication

## **(8) Consider economic impacts on communities**

## **(9) Minimize bycatch & bycatch mortality**

(10) Promote safety at sea

# National Standards



1. **Prevent overfishing; rebuild; protect, restore, promote long-term health and stability**
2. **Describe the fishery**
3. **Specify maximum sustainable yield (MSY) and optimum yield (OY)**
4. **Specify capacity to harvest and process OY**
5. Specify the data to be submitted to the Secretary
6. Temporary adjustments to address unsafe ocean conditions
7. **Identify Essential Fish Habitat; minimize impacts to EFH from fishing**
8. Specify scientific data needed to implement plan
9. Provide a fishery impact statement
10. **Specify objective and measurable criteria**
11. **Provide standardized bycatch reporting methodology & measures to minimize bycatch**
12. Assess number, types, & mortality of fish caught and released recreationally; minimize mortality
13. Describe sectors (commercial, recreational, & charter); quantify landings trends by sector
14. Allocate restrictions/benefits fairly & equitably
15. **Establish a mechanism for setting ACLs & AMs**

## Required FMP Provisions



1. Require permits and fees
2. Designate zones and times where fishing restrictions apply
3. Establish restrictions on catch, sale, and transshipment
4. Include gear and vessel requirements
5. Incorporate state measures
6. Establish a limited access system
7. Require processors to submit data
8. Require observer coverage
9. Assess and specify the effect of the FMP on anadromous fish
10. Include harvest incentives for reduced bycatch and bycatch mortality
11. Reserve a portion of the allowable biological catch for use in research
12. Conserve target and non-target species and habitat, considering the variety of ecological factors affecting fishery populations
13. Prescribe other measures, requirements, or conditions and restrictions necessary and appropriate for the conservation and management of the fishery

## Discretionary FMP Provisions



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