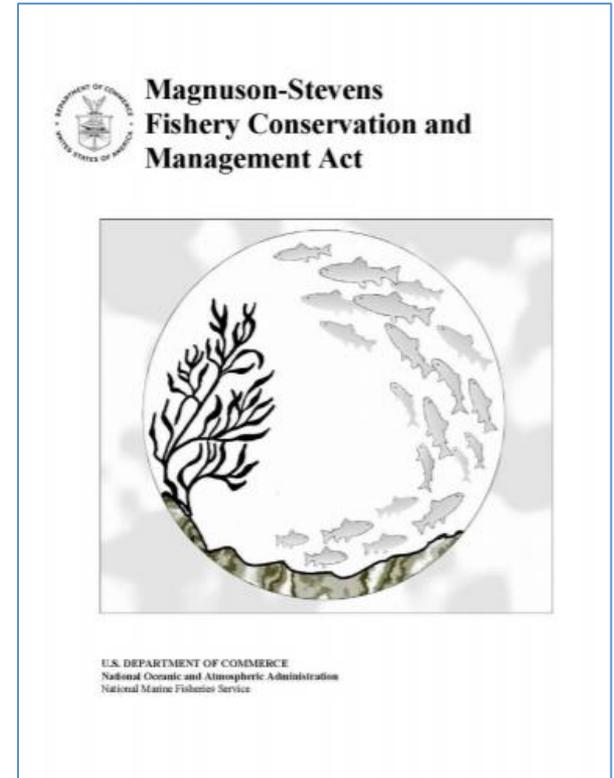




Introduction to the Magnuson-Stevens Act (MSA)

Learning Objectives

- State the MSA's fishery management mission
- Understand the MSA's unique approach to fishery management
- Identify the 10 National Standards
- Locate key [MSA](#) requirements and [guidance materials](#)



“A national program for the conservation and management of the fishery resources of the United States is necessary to prevent overfishing, to rebuild overfished stocks, to insure conservation, to facilitate long-term protection of essential fish habitats, and to realize the full potential of the Nation’s fishery resources.”

The History | Pre-1976

- Natural resource management and environmental movement
- Number of new federal public laws and agencies formed

Architect of the Capitol



For example:

- Multiple Use Sustained Yield Act (1960)
- National Environmental Policy Act (1969)
- Clean Air Act (1970)
- Clean Water Act (1972)
- Marine Mammal Protection Act (1972)
- Endangered Species Act (1973)

The History | Pre-1976

- State fisheries management and territorial waters (0-12 miles)
- > 12 mi massive foreign fleet fishing virtually unregulated



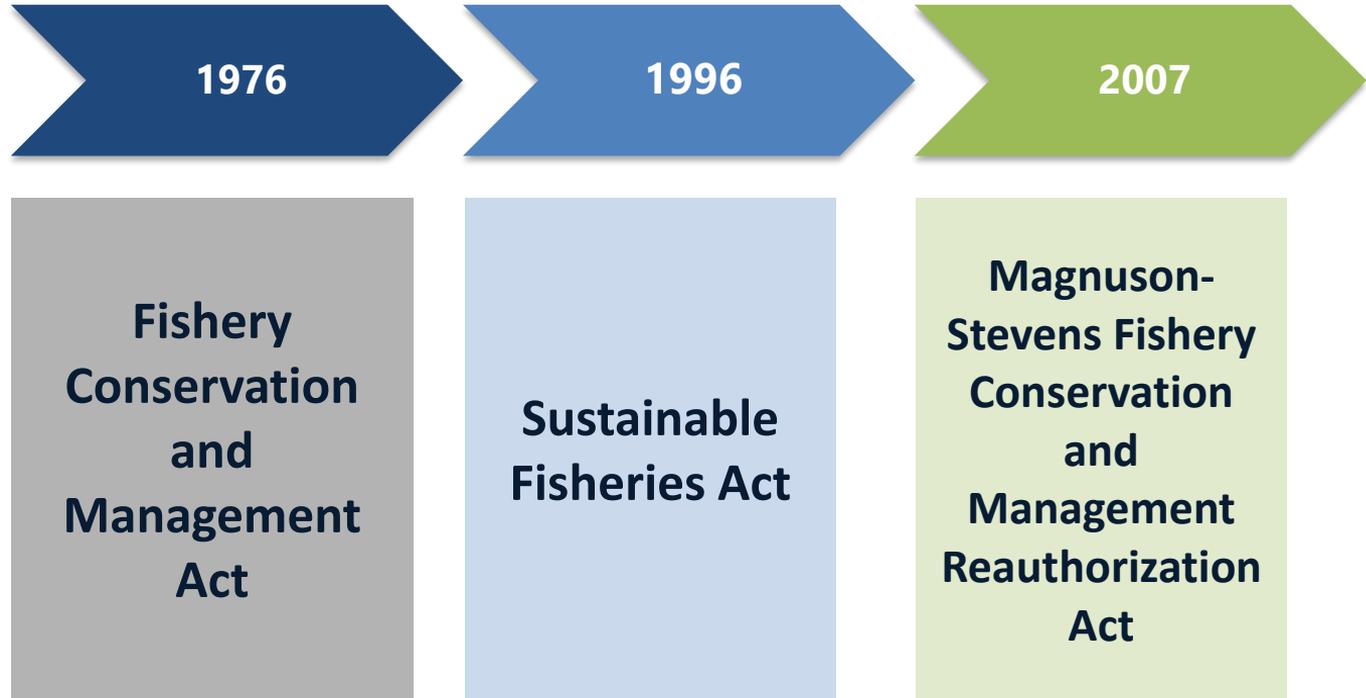


Magnuson and Stevens

Fisheries Conservation and Management Act (1976)

- Expanded Federal Jurisdiction – Exclusive Economic Zone
- Established National Standards
- Created the [Councils](#) (NOAA Fisheries/Councils Process)
- Requirements for Fishery Management Plans (FMPs)
 - Consistent with National Standards
 - Mandatory and Discretionary Components
 - Relation to Other Applicable Laws (OALs)
 - Secretarial Review
- Special Provisions

History of the MSA



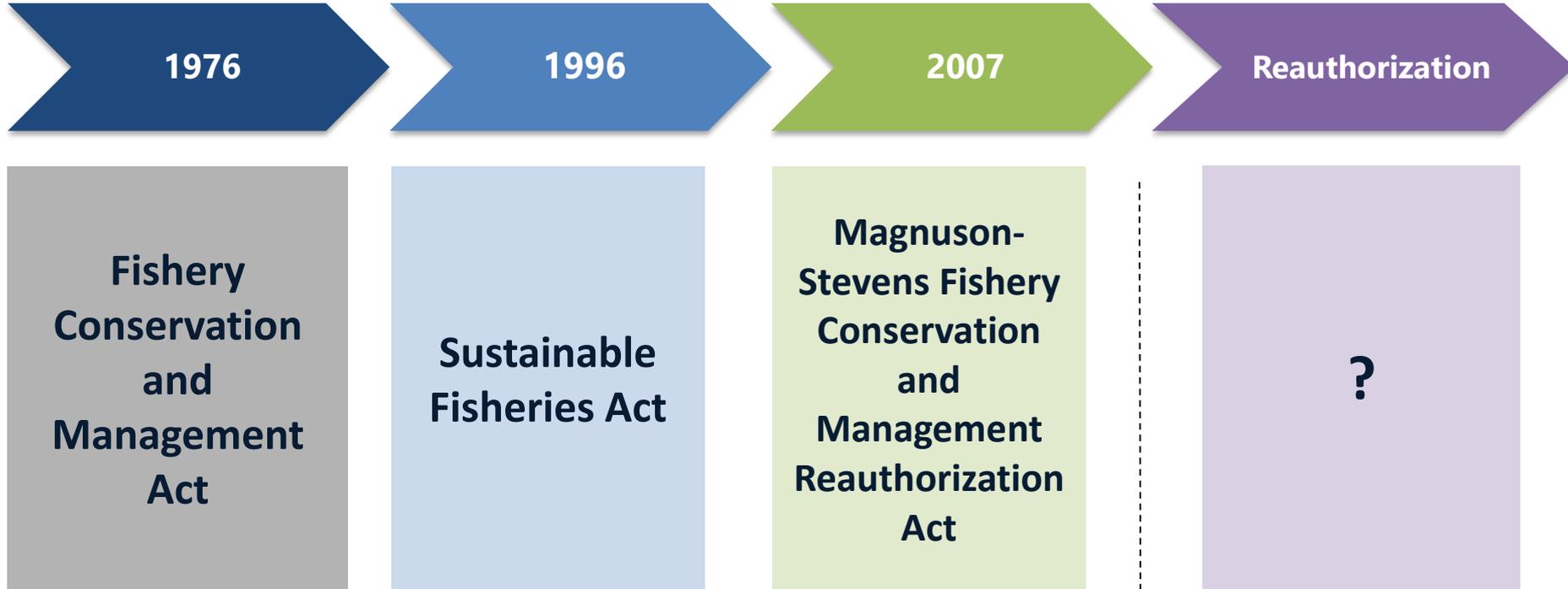
- Required time certain stock rebuilding
- Specific stock status determination criteria (MFMT; MSST)
- OY cannot exceed MSY
- Added 3 national standards
- Essential Fish Habitat (EFH; Designations and Consults)



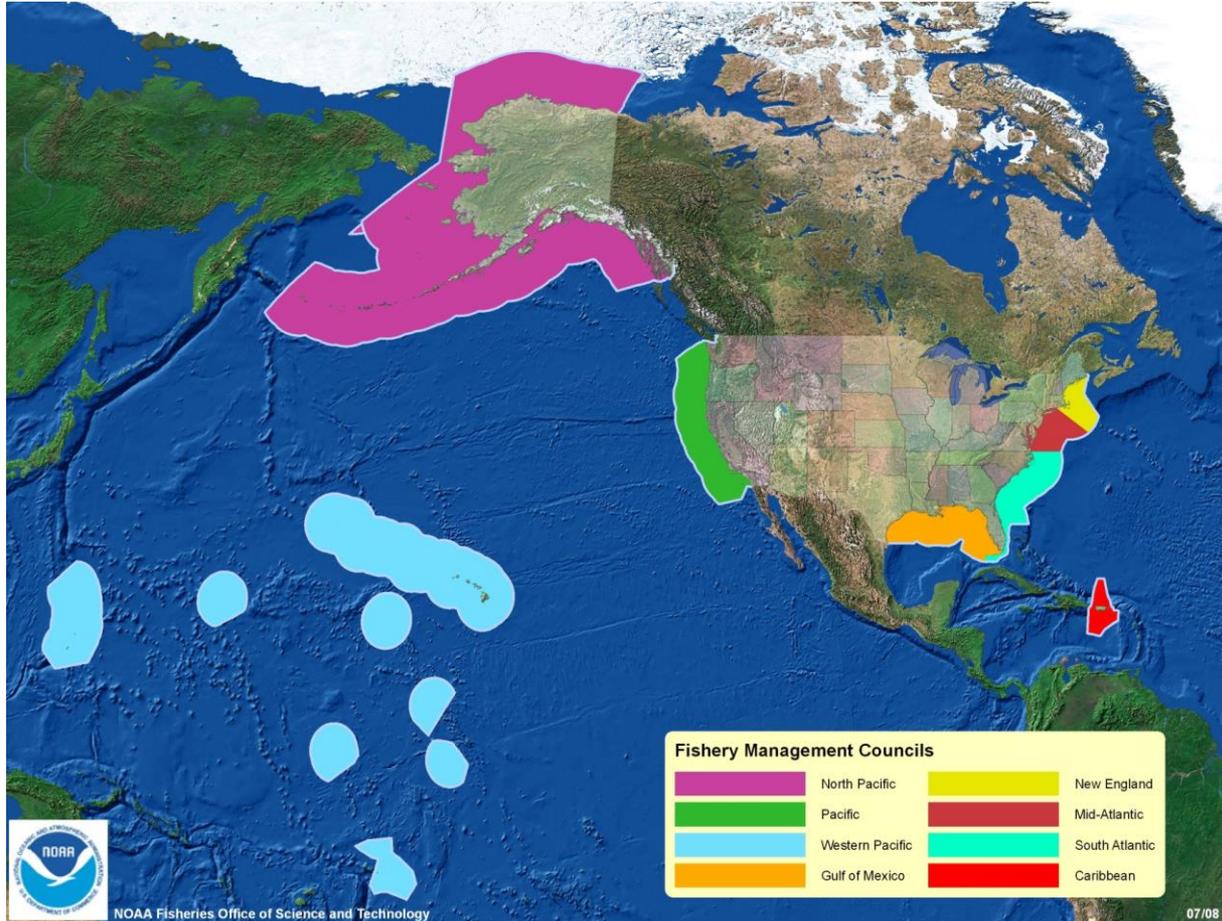
- Emphasis on accountability and science
- End overfishing immediately
- Annual catch limits (ACLs) and accountability measures (AMs)
- Strengthened role of Scientific and Statistical Committees (SSCs)



History of the MSA



Regional Fishery Management Councils (www.fisherycouncils.org)



National Standards | In Brief

- Prevent overfishing while achieving optimum yield
- Use best scientific information available
- Manage individual stocks throughout their range
- Allocation of privileges to fish must be fair and equitable
- No such measure shall have economic allocation as its sole purpose
- Allow for variation among the contingencies in fisheries, fishery resources, and catches
- Minimize costs, avoid duplication, where practicable
- Account for importance of fishery resources to fishing communities
- Minimize bycatch or mortality from bycatch
- Promote safety of human life at sea

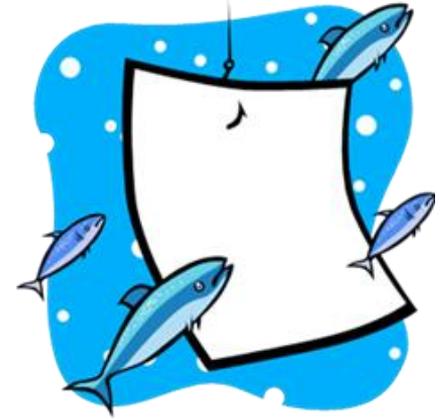
National Standards Guidelines

[http://www.nmfs.noaa.gov/
sfa/laws_policies/msa/](http://www.nmfs.noaa.gov/sfa/laws_policies/msa/)



Other Special Provisions of the MSA

- Secretarial FMPs/Amendments
 - Special secretarial authorities
 - Ending overfishing/overfished stocks
 - Highly Migratory Species
 - A fishery requires action and a Council does not take action
 - A Council action is disapproved/partially disapproved and the Council fails to act



Other Special Provisions of the MSA



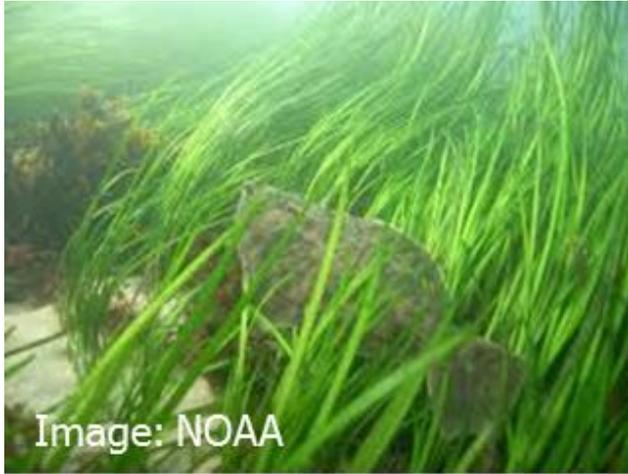
- Highly migratory species (HMS) management
 - Tunas, marlin, oceanic sharks, sailfishes, swordfishes, etc.
 - Secretarial responsibility
 - Consult with Councils
 - Advisory Committees

Other Special Provisions of the MSA

- Emergency actions
 - Unforeseen circumstances and serious fishery issues
 - Benefits must outweigh normal public process
 - Specific criteria: substantial damage and/or loss (ecological, economic, social)



Other Special Provisions of the MSA



- Tribal rights, native customs, indigenous communities
 - Council to the West
 - Recognize the unique needs and circumstances which make fisheries resources important to these groups
- Essential Fish Habitat
- Other good “bits and pieces” in the MSA

Fisheries Governance

- Fisheries governance is a **wicked problem** and a problem of scale
- No one-size-fits-all solutions
- Never actually know when problem is solved – ongoing, intractable, evolving issues

Jentoft & Chuenpagdee 2008



Image Source:

https://www.nrdc.org/sites/default/files/styles/one_half_content/public/media-uploads/blog-ocean-planning.jpg?itok=QXFpIMbK

Fisheries Governance

- National regulatory framework that supports a Council process designed to address issues at appropriate scales
- Strong MSA standards and science-based decisions
- Stakeholder driven solutions
- Evolutionary process
- This is what we do!





Welcome to the Council! Questions?

Jessica Coakley

jcoakley@mafmc.org or jessica.coakley@noaa.gov