

# North Pacific Fishery Management Council

## Perspectives on Magnuson-Stevens Act Reauthorization

May 2013

- Extensive Amendments in 2006 reauthorization covered most pressing issues
- Major changes not necessary at this time
- Modifications in some areas may be appropriate
- Avoid unfunded mandates
- Preservation and enhancement of stock assessments should be among highest priorities



# Things that are working well

- LAPP provisions

- 2006 reauthorization provided explicit authority to use LAPPs or ‘catch shares’ as a fisheries management tool.
- Councils need maximum flexibility in program design to tailor programs to the specific fisheries involved.
- In the North Pacific, LAPP or similar ‘catch share’ programs are in place for most major fisheries – programs differ in design based on specific characteristics of each fishery.
- Automatic sunset dates can be disruptive and counter to the basic premise of LAPP programs.
- LAPPs, or 'catch shares', are an essential tool within the Councils' overall management toolbox.
- Additional LAPP constraints not necessary – existing provisions are already overly constraining on LAPP development



# Things that are working well

- Annual Catch Limits

- Have been used in the North Pacific for 30 years.
- Cornerstone of sustainable fisheries management - need to prevent overfishing.
- Properly constituted SSC is appropriate body to establish maximum ACL; no need for additional peer review in most circumstances.
- Some flexibility may be warranted for certain fisheries, particularly data poor stocks – Example of octopus in North Pacific where lack of survey data resulted in artificially low ACL, constraining certain fisheries with octopus bycatch.
- Flexibility also necessary to allow use of various approaches to address uncertainty and necessary buffers.



# Things that could be better

- Rebuilding Plans

- Room for flexibility, greater consideration for economic and community impacts.
- North Pacific example of Pribilof blue king crab where fishing activities were found to have no effect on rebuilding success, yet rebuilding plan mandated.
- But.....stock conservation must remain primary focus.



# Things that could be better

- Streamlining Statutes (NEPA/MSA)

- 2006 reauthorization mandated revision of environmental review process.
- NMFS currently considering Policy Directive in response – primarily solidifies ‘status quo’ process.
- Excessive costs imposed via current regulatory process.
- Ample opportunity remains for truly streamlining analysis and review process, without compromising environmental protections of NEPA.



# Things to Avoid

- Legislation should allow for management flexibility in achieving conservation objectives, but be specific enough to avoid lengthy, complex implementing regulations or 'guidelines'.
- Legislation should be in the form of intended outcomes, rather than prescriptive management or scientific parameters.
- Legislation should avoid unrealistic/expensive analytical mandates for Councils, SSCs, or NMFS relative to implementing fishery closures, or other management actions.
- Legislation should avoid additional requirements for video broadcasting of Council/SSC meetings, or transcripts for SSC meetings – current practice and technology provides ample public access to meeting records.
- Legislation should avoid constraints that limit the flexibility of Councils and NMFS to respond to changing climates and shifting ecosystems.

