

# Atlantic States Marine Fisheries Commission

## Commissioner Workshop on Magnuson-Stevens Fishery Conservation and Management Act Reauthorization

*May 13, 2014  
8:00a.m. – 12:00p.m.  
Alexandria, Virginia*

### Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

- |   |            |
|---|------------|
| 1. Welcome and Introductions  | 8:00 a.m.  |
| • Bob Beal, ASMFC   |            |
| 2. Presentations from Congressional Staff   | 8:05 p.m.  |
| 3. Break  | 9:00 a.m.  |
| 4. Overview Stakeholder Positions and Commission Impacts                              | 9:20 a.m.  |
| • Bob Beal, ASMFC   |            |
| 5. Discussion to determine Commission position on elements of the MSA reauthorization | 10:00 a.m. |
| 6. Adjourn  | 12:00 p.m. |



# Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201  
703.842.0740 • 703.842.0741 (fax) • [www.asmfc.org](http://www.asmfc.org)

---

## MEMORANDUM

May 7, 2014

**To: ASMFC Commissioners**

**From: Robert Beal, Executive Director**

**RE: Magnuson–Stevens Act Workshop Briefing Materials**

---

### Table of Contents

1. Background and History on the Magnuson-Stevens Act
2. Overview of Reauthorization Legislation
  - a. House Natural Resources Committee: “Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.”
  - b. Senate Commerce Committee: “To amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Nation’s fisheries and the communities that rely on them, and for other purposes.”
3. ASMFC Issues of Concern
4. Stakeholder Positions
  - a. Overview
  - b. Recreational Sector
  - c. Commercial Sector
  - d. Conservation Sector
  - e. Managing Entities
  - f. Other

## **Background and History of the Magnuson-Stevens Fishery Conservation and Management Act**

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) is the primary law governing marine fisheries in U.S. federal waters, also known as the Exclusive Economic Zone, ranging from three to 200 miles offshore. MSA was originally enacted in 1976 to support the domestic fishing industry by preventing foreign vessels from fishing in waters within 200 miles of U.S. coasts. Notably, the 1976 law created the eight Regional Fishery Management Councils and gave them authority to manage fish stocks through FMPs. It also created the National Standards that every federal Fishery Management Plan (FMP) must comply with.

MSA is periodically reauthorized to update funding levels, management requirements, and other issues related to federal fisheries management. The latest update, in 2007, authorized MSA funding through September 30, 2013. The law's requirements remain in effect even though the funding authorization has expired. Over the years, MSA has evolved its focus to include biology and conservation measures (1996 and 2007 reauthorizations).

MSA's ten National Standards:

1. Prevent overfishing while achieving optimum yield
2. Use the best scientific information available
3. Individual fish stocks shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit
4. Conservation and management measures shall not discriminate between residents of different states
5. Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose
6. Conservation and management measures shall take into account and allow for variations among, and contingencies in, fisheries, fishery resources, and catches
7. Minimize costs and avoid unnecessary duplication
8. Conservation and management measures shall take into account the importance of fishery resources to fishing communities
9. Minimize bycatch and bycatch mortality
10. Safety of Life at Sea

In 1996, MSA underwent a major overhaul, via the Sustainable Fisheries Act of 1996, which amended MSA to require each federal FMP to specify criteria for determining when a stock is overfished or when overfishing is occurring, and to establish measures for rebuilding the stock. It also introduced for the first time language requiring that overfished stocks be rebuilt "as soon as possible, but no longer than ten years." The Sustainable Fisheries Act included definitions for "overfishing" and "overfished," and added three new National Standards to address (8) fishing communities, (9) bycatch, and (10) fishing vessel safety. Several existing standards were revised. The Sustainable Fisheries Act also represented a major shift in MSA's focus to include habitat concerns by requiring federal councils to describe and identify Essential Fish Habitat (EFH) for all fisheries, and to minimize the adverse effects of fishing on EFH. Lastly, the Sustainable Fisheries Act established Title IV of MSA, dedicated to fishery monitoring and research. This

title includes Sections on Registration and Information Management, Observers, a Fisheries Strategic Research Plan, and Fisheries Systems Research.

Another major update to MSA came about in 2007, with enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006. The most notable change was a requirement to end overfishing in each federally managed fishery within two years. The 2007 MSA reauthorization also established annual catch limits and limited access privilege programs, required that catch limits may not exceed SSCs recommendations, and established the environmental review (NEPA) process.

## Highlights of House/Senate Reauthorization Legislation

### House Reauthorization Bill, “Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act”

The House Natural Resources Committee’s MSA reauthorization bill is entitled the “Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.” Below is a brief explanation of the most notable provisions of the House MSA reauthorization bill. Particular attention is paid to sections that would affect the Commission and Commission-managed fisheries. The overview of the “Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act” that follows is intended to facilitate Commissioner discussion at the 2014 Spring Meeting Workshop. For complete details, Commissioners should refer to the bill text included in the supplemental materials for this workshop.

#### Flexibility in Rebuilding Fish Stocks

The House bill increases the time for councils to end overfishing from two to three years; changes the time for rebuilding stocks from ten years to the amount of time that it would take to rebuild without any fishing, plus the average lifecycle of the species; and changes stock rebuilding language from “as soon as possible” to “as soon as practicable.”

The House bill provides flexibility in the rebuilding timeframe for components of multi-species fisheries. The bill provides additional flexibility for trans-boundary and international fisheries, fisheries for which the cause of the overfished/depleted status is outside the jurisdiction of the councils, and fisheries affected by unusual events that make rebuilding the fishery within the specified timeframe improbable without significant economic harm to fishing communities.

The House bill allows councils to take into account environmental conditions and predator/prey relationships when developing rebuilding plans, and allow alternative rebuilding strategies including harvest control rules and fishing mortality targets.

The House bill allows councils to terminate a rebuilding plan for a fishery that was initially determined to be overfished when updated science determines the stock is no longer overfished.

#### Modifications to Annual Catch Limits

The House bill gives councils increased flexibility in setting annual catch limits by allowing:

- ACLs to be set above the fishing level recommendation of SSCs, but not above the overfishing level.
- Councils to consider “changes in an ecosystem and the economic needs of the fishing communities” when setting ACLs.
- An exception for “ecosystem component species,” defined as incidental catch not currently or likely to experience overfishing.
- An ACL exception for stocks for which a single year class will complete their lifecycle in less than 18 months as long as fishing mortality will have minimal impact on the stock (ex squid, butterfish).

#### Overfished vs. Depleted

The House bill replaces the term “overfished” with the term “depleted” throughout MSA.

- Overfished: a rate or level of fishing mortality that jeopardizes the capacity of a fishery to produce the maximum sustainable yield on a continuing basis.
- Depleted: the stock is of a size that is below the natural range of fluctuation associated with the production of maximum sustainable yield.

### Transparency

The House bill requires audio, video and a complete transcript of each Council and Scientific and Statistical Committee meeting to be available within 30 days of the meeting. State Marine Fisheries Commissions do not fall under this requirement.

### National Environmental Policy Act Compliance

The House bill specifies that compliance with MSA will fulfill National Environmental Policy Act requirements. Activities conducted under MSA are currently subject to an environmental review pursuant to the National Environmental Policy Act, which requires an environmental review of the impacts of proposed federal management actions, and the development of alternatives to minimize identified impacts. The House bill would exempt fishery management actions from NEPA analyses. The provision also specifies that MSA timelines will be the controlling schedule.

### Catch Share Programs

The House bill requires the New England, Mid-Atlantic, South Atlantic, and Gulf Councils obtain approval from a majority of eligible permit holders before creating or amending an FMP to include catch shares. This requirement does not apply to any catch share program proposed before the enactment of the bill.

The House bill includes processors in the definition “catch share.” This change is notable because the proposed definition would give processors a seat at the table as future catch share programs are developed. “Catch share” would mean “any fishery management program that allocates a specific percentage of the total allowable catch for a fishery, or a specific fishing area, to an individual, cooperative, community, sector, processor, or regional fishery organization.”

### Data Collection and Availability

Access to fisheries data from onboard observers, electronic monitoring systems, and cooperative research programs is restricted to only federal employees, Council employees, and State Marine Commission employees who are responsible for fishery management plan development, monitoring, or enforcement. There are a host of narrow exemptions, but generally public members of the councils, NGO scientists, fishermen, and the public would not have access to the data.

The House bill would allow funds from NOAA's Asset Forfeiture Fund to be used to conduct fishery independent data collection with a priority placed on data poor stocks.

The House bill requires the Councils and PSMFC to develop objectives, performance standards, and regulations to govern the use of electronic monitoring within six months. It further states that electronic monitoring may be used only for data collection and monitoring purposes, not for law enforcement.

Ensuring Consistent Management for Fisheries Throughout Their Range

The House bill states that fisheries management activity impacted by the National Marine Sanctuaries Act (NMSA), the Antiquities Act, or the Endangered Species Act (ESA) be accomplished under the MSA using the council process. In instances where the MSA conflicts with these other laws, the MSA shall be the controlling process.

Funding

The House bill provides \$396,875,000 (2013 level) per year, from 2014 through 2018. Note: funding for individual MSA programs is decided largely through the yearly appropriations process and at NOAA Fisheries.

**Senate Reauthorization Bill, “To amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Nation’s fisheries and the communities that rely on them, and for other purposes.”**

On April 3, 2014, the Senate Commerce Committee distributed a Staff Working Draft of its MSA reauthorization bill. In contrast to the House’s draft reauthorization bill, the Senate version is more closely aligned with the conservation, recreation, and subsistence sectors’ priorities, as opposed to industry. The legislation has four major sections: Title I – Conservation and Management; Title II – Fishery Information, Research, and Development; Title III – Reauthorization of other Fishery Statutes; and Title IV – International.

The overview of Senate’s MSA reauthorization bill, “To amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Nation’s fisheries and the communities that rely on them, and for other purposes,” that follows is intended to facilitate Commissioner discussion at the 2014 Spring Meeting Workshop. Particular attention is paid to sections that would affect the Commission and Commission-managed fisheries. For complete details of the bill, Commissioners should refer to the bill text included in the supplemental materials for this workshop.

Reauthorization of ASMFC Statutes

Title III, Reauthorization of other Fishery Statutes, includes reauthorization language for the Striped Bass Act, Atlantic Coast Fishery Cooperative Management Act, Interjurisdictional Fisheries Act, and Anadromous Fish Conservation Act. Are all authorized without change through 2021. Funding levels are not specified in the draft text, but are expected be level funded with adjustments for inflation.

Rebuilding Timeline

The Senate version adds a narrow exception to the “ten year or as short as possible” rebuilding timeframe if scientific consensus exists that a mean generation or the minimum rebuilding time of a fishery is more than ten years. However, the overall standard remains.

Federal Sustainability Certification

The Senate bill contains provisions for voluntary sustainability labeling. Briefly, a producer, processor, importer, exporter, distributor, or seller could use a “Sustainably Caught” label on any fish product as long as the fishery has a federal FMP; is not being overfished; and meets traceability requirements.

Ecosystem management

The Senate bill gives the councils ecosystem management authority, but does not require their adoption. Fishery ecosystem plans must: contain a description of the fishery ecosystem and fishery ecosystem context; specify fishery ecosystem-level goals and objectives for management; assess the level of uncertainty in fishery ecosystem structure, function, data, and reasonably foreseeable responses to management action; specify how the uncertainty is accounted for in conservation and management; contain conservation and management measures; and contain a monitoring and evaluation plan.

Forage Fish Protections



The Senate bill adds multiple provisions designed to shelter forage fish. It defines forage fish as “any low trophic level fish that contributes significantly to the diets of other fish and that retains a significant role in energy transfer from lower to higher trophic levels throughout its life cycle.” The provisions also require SSCs to account for forage fish dependence of predators and adjust ACLs to include needs of predators for forage fish.

#### Summer Flounder Provisions

The Senate bill contains the text of Sen Schumer’s Fluke Fairness Act.

#### South Atlantic Red Snapper Cooperative Research Program

The Senate bill creates a South Atlantic Red Snapper Cooperative Research Program, effective for six years. The SAFMC would be in charge of developing the program within 90 days of the bill becoming law, in consultation with the Department of Commerce. In the first two years of the program, the Senate bill would specify the number of permits to be issued each year, and then the SAFMC would be in charge of the number of permits for the final four years of the program. The research permits, issued to recreational, charter, and commercial anglers, would permit the capture of one red snapper outside of the established season.

#### Depletion and Overfishing

The Senate bill acknowledges that some stocks are depleted due to causes other than fishing by inserting the “or otherwise depleted,” after “overfished” throughout the bill.

#### Bycatch Definition

The Senate bill changes the definition of bycatch to encompass incidental mortality from gear. Specifically, the new definition for bycatch is “fish that are harvested in a fishery and discarded, including economic discards and regulatory discards, fish that are harvested in a fishery and retained but not landed, non-target fish that are harvested in a fishery and retained, or fish that are subject to mortality due to a direct encounter with fishing gear; and does not include fish released alive under a recreational catch and release fishery management program.”

#### Electronic Monitoring

The Senate bill would require the councils to develop and implement an electronic monitoring plan within five years for certain FMPs.

## **Topics of Commission concern**

### **1. Flexibility**

The House and Senate reauthorization bills both include provisions adding flexibility to rebuilding timelines. The House bill also liberalizes the time required to end overfishing.

### **2. Overfished Definition**

The House and Senate reauthorization bills address the definition of “overfishing” to account for factors other than fishing pressure that affect populations of fish.

### **3. Ecosystem Management**

The Senate bill would require the Secretary to define ecosystem management, and give the councils authority to enact such ecosystem management, if they chose to do so. The House bill does not address ecosystem management.

### **4. Sustainability Certification**

MAFAC/NMFS are slowly moving to adopt a federal sustainability certification. The Senate bill creates a voluntary sustainability labeling system. Briefly, a producer, processor, importer, exporter, distributor, or seller could use a “Sustainably Caught” label on any fish product as long as the fishery has a federal FMP; is not being overfished; and meets traceability requirements. The House bill does not address federal sustainability certification.

### **5. Permit holder referendum on new catch shares**

The House bill requires the New England, Mid-Atlantic, South Atlantic, and Gulf Councils obtain approval from a majority of eligible permit holders before creating or amending an FMP to include catch shares. The Senate bill has no such provisions.

### **6. Data Confidentiality/Access**

The House bill restricts access to fisheries data from onboard observers, electronic monitoring systems, and cooperative research programs to only federal employees, Council employees, and State Marine Commission employees who are responsible for FMP development, monitoring, or enforcement. There are a host of narrow exemptions, but generally public members of the councils/commissions, NGO scientists, fishermen, and the public would not have access to the data.

### **7. Electronic Monitoring**

The House bill requires the Councils and PSMFC to develop objectives, performance standards, and regulations to govern the use of electronic monitoring within six months. The Senate bill would require the councils to develop and implement an electronic monitoring plan within five years for certain FMPs.

### **8. National Environmental Policy Act (NEPA), National Marine Sanctuaries Act (NMSA), the Antiquities Act, or the Endangered Species Act (ESA)**

The House bill specifies that compliance with MSA will fulfill National Environmental Policy Act requirements. The House bill states that fisheries management activity impacted by the NMSA, the Antiquities Act, or the ESA be accomplished under the MSA using the council

process. In instances where the MSA conflicts with these other laws, the MSA shall be the controlling process.

#### **9. Funding Levels**

The House bill authorizes level funding from 2013 levels. The Senate bill does not include funding numbers, but is expected to provide slight increases to account for inflation (including the SBA, ACFCMA, and IJFA).

#### **10. Recreational Fisheries Management**

The Senate bill would allow SSCs to use alternative fishery management measures in a recreational fishery or the recreational component of a mixed-use fishery, including extraction rates, fishing mortality, and harvest control rules. Neither the House nor Senate bill includes language specifically covering recreational anglers in terms of catch limits, allotments, and conservation, as many recreational stakeholder groups have requested.

#### **11. Striped Bass Act, Atlantic Coast Fishery Cooperative Management Act, Interjurisdictional Fisheries Act Reauthorizations**

The Senate bill reauthorizes all three statues through 2021. The House bill does not include any of the reauthorizations.

#### **12. Highly Migratory Species (HMS)**

Neither the House nor Senate bill contain provisions improving coordination between state and federal management of HMS.

## Summary of Stakeholder Positions

Comments from the four major stakeholder groups (recreational, commercial, conservation, and management entities) are summarized in the following pages. Complete copies of statements and testimony are included in the supplemental materials for the workshop.

### Recreational Stakeholder Comments on MSA Reauthorization

Comments from the recreational fishing sector gaining the most traction in Congress and nationally are based on the Morris-Deal paper, "*A Vision for Managing America's Saltwater Recreational Fisheries*," and the Marine Fisheries Advisory Committee's (MAFAC) Recreational Fisheries Working Group. Both papers support reasonable latitude in stock rebuilding timelines based on species life histories and support creation of separate regulations for commercial and recreational fishermen by adopting a revised approach to saltwater recreational fisheries management. The Coastal Conservation Association's comments focus on support for the 2007 MSA amendments, and holding NMFS responsible for failing to properly manage marine resources.

1. A Vision for Managing America's Saltwater Recreational Fisheries, Spring 2014
2. Marine Fisheries Advisory Committee Working Group White Paper on Recreational Fishing and the MSA, 11/20/2013
3. Recreational Fishing Alliance, Jeff Deem, House Testimony, 9/11/2014
4. Coastal Conservation Association, Website Statement, 11/15/2013

### Commercial Industry Comments on MSA Reauthorization

In general, representatives of the commercial sector have agreed the industry opposes the current timelines to end overfishing and to rebuild stocks. They have coalesced around some form of biologically based rebuilding plans and many support provisions contained in the House Working Draft. The House bill increases the time for councils to end overfishing from two to three years; changes the time for rebuilding stocks from ten years to the amount of time that it would take to rebuild without any fishing, plus the average lifecycle of the species; and changes stock rebuilding language from "as soon as possible" to "as soon as practicable." Among Brian Rothschild's recommendations are a comprehensive rewrite of MSA's National Standards and general recommendations for reauthorizing MSA.

5. Center for Sustainable Fisheries, Brian Rothschild, recommendations for MSA Reauthorization and comments on reauthorization bills
6. Gulf Seafood Institute, David Krebs, Board Member, House Testimony, 2/4/2014
7. Northeast Seafood Coalition, Vito Giacalone, Executive Director, House Testimony, 2/4/2014
8. United States Seafood/Alaska Seafood Cooperative, Mark Fina, Senior Policy Analyst, House Testimony, 2/4/2014
9. Rick Marks, Robertson, Monagle & Eastaugh House Testimony, 2/4/2014

### Conservation Stakeholder Comments on MSA Reauthorization

Conservation groups, including Pew Charitable Trusts, The Ocean Conservancy, Institute for Ocean Conservation Science, and Conservation Law Foundation, oppose liberalizing the current timelines to end overfishing and to rebuild a stock. Conservation groups also tend to agree that

more should be done to protect and restore habitat, and that ecosystem management should be pursued immediately.

10. Institute for Ocean Conservation Science, Stony Brook University, Ellen K. Pikitch, Ph.D, Executive Director, House Testimony, 2/4/2014
11. Ocean Conservancy, Chris Dorsett, Ecosystem Conservation Programs Director, House Testimony, 9/11/2013
12. Pew Charitable Trusts, Hastings' Empty Oceans Act, January 2014
13. Conservation Law Foundation, Peter Shelley, Vice President, House Testimony, 2/4/2014

### **Managing Entity Comments on MSA Reauthorization**

Managing entities include statements from NMFS, the councils, and commissions. Statements are based on testimony before Congress or, in the case of the NEFMC, recommendations to the House Natural Resources Committee on its MSA Reauthorization discussion draft.

14. NMFS, Sam Rauch, Acting Assistant Administrator
15. NEFMC, Tom Nies, Executive Director, DRAFT Comments on House Draft MSA, 1/23/2014
16. MAFMC, Rick Robins, Chairman, House Testimony, 2/4/2014
17. MAFMC Comments on MSA Reauthorization Discussion Draft, 4/30/2014
18. SAFMC, Ben Hartig, Chairman, Senate Testimony, 11/14/2013
19. PFMC, Donald McIsaac, Executive Director, Senate Testimony, 1/30/2014
20. ASMFC, GSMFC – Testimony before the Senate Commerce Committee “Developments and Opportunities in U.S. Fisheries Management,” 3/19/2013
21. ASMFC, GSMFC, PSFMC – Testimony before the House Fisheries Subcommittee “Data collection issues in relation to the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act,” 5/21/2013

### **Other Comments on MSA Reauthorization**

A final group of stakeholders that do not fit within recreation, commercial, conservation, or management sectors have provided recommendation for the MSA Reauthorization through various outlets.

22. Managing Our Nation's Fisheries III, Summary of Findings, May 2013
23. National Research Council Report: Evaluating the Effectiveness of Fish Stock Rebuilding Plans in the United States

## Recreational Stakeholder Comments on MSA Reauthorization

### 1. A Vision for Managing America's Saltwater Recreational Fisheries, Spring 2014

"A Vision for Managing America's Saltwater Recreational Fisheries" is a report produced by the Commission on Saltwater Recreational Fisheries Management with recommendations to incorporate language that applies specifically to recreational fisheries into the MSA Reauthorization, distinguishing recreational fisheries management from commercial fisheries management in catch limits and conservation measures. Contributing organizations to the report include: The Commission on Saltwater Recreational Fisheries Management, The International Game Fish Association, American Sportfishing Association, Association of Fish and Wildlife Agencies, Berkley Conservation Institute, Center for Coastal Conservation, Congressional Sportsmen's Foundation, National Marine Manufacturers Association, Theodore Roosevelt Conservation Partnership, and the Billfish Foundation. Following are six recommendations contained in the report.

1. Establishing a national policy for recreational fishing: The MSA should include a provision for the creation of a national saltwater recreational fishing policy that identifies goals and strategies for recreational fisheries management at the local, state and national levels. NMFS has made progress in recent years in elevating the importance of recreational fishing within the agency, including hosting a national recreational fishing summit, establishing national and regional action agendas and creating new agency positions focused on recreational fishing policies. Future progress would be significantly advanced through the establishment of a comprehensive national policy defining and coordinating efforts throughout the federal government, focusing primarily on NMFS, to advance saltwater recreational fishing
2. Adopting a revised approach to saltwater recreational fisheries management: NMFS should manage recreational fisheries based on long-term harvest rates, not strictly on poundage-based quotas. By managing the recreational sector based on harvest rate as opposed to a poundage-based quota, managers have been able to provide predictability in regulations while also sustaining a healthy population. While the MSA does not prohibit such an approach, it should specifically direct NMFS and regional councils to consider alternative strategies to commercial management for appropriate recreationally valuable fisheries.
3. Allocating marine fisheries for the greatest benefit to the nation: The MSA should require NMFS, in conjunction with the National Academy of Sciences (NAS), to develop guidelines and criteria that the regional fishery management councils must consider for allocation of all mixed sector fisheries. The allocation decisions must consider conservation and socioeconomic output. To help provide necessary information for managers to consider, NMFS must enhance its existing economic program for mixed sector fisheries. The MSA also should require that the regional fishery management councils develop procedures for allocation reviews and adjustments based on those guidelines to occur at regular intervals.
4. Creating reasonable latitude in stock rebuilding timelines: The commission supports the National Academy of Science's recommendations to provide the regional councils and fisheries managers greater latitude to rebuild fish stocks in a timely and reasonable manner.

5. Codifying a process for cooperative management: The regional councils should be required to develop a process to determine on a stock-by-stock basis which management entities are most appropriate and capable of successfully managing the stock. This requirement should provide guidance for determining the most appropriate management structure.
6. Managing for the forage base: Fisheries managers should better incorporate forage base management to provide optimal health, reproduction and growth in important predator fish stocks. NMFS and regional councils should identify the most significant forage fish for every fish stock currently being managed and determine whether or not the identified forage fish should be managed.

## **2. Keith Rizzardi, Chair, Marine Fisheries Advisory Committee, White Paper on Recommendations for MSA by the Recreational Fishing Working Group, December 20, 2013**

The Marine Fisheries Advisory Committee (MAFAC) Recreational Fisheries Working Group (RFWG) developed specific issue areas and recommendations for possible changes to MSA, as well as possible changes to NOAA fishing regulations. In addition to a number of recommendations, the RFWG explains how recreational/non-commercial fishermen are different than their commercial counterparts, and why MSA should directly address recreational fisheries. Specifically the RFWG recommends:

- Improved and expanded data is necessary for timely and appropriate management.
- Flexibility in stock rebuilding timeframes is needed. Required rebuilding time frames are necessary, but they should be determined based on species life histories.
- Managing to MSY/OY carries inherent risk and may not meet the goals of recreational fishermen for having frequent encounter opportunities or the chance to catch larger fish. Management should focus on a more balanced and robust stock using a wider range of tools.
- NMFS should embrace the management flexibilities under the MSA and provide guidance to the Councils for alternative management approaches for the recreational sector (ex. mortality rate).
- Individual Transferable Quota (ITQ), Individual Fishing Quota (IFQ), and catch share programs are inappropriate for recreational fisheries.
- The councils should be allowed to increase recommended ACLs (within a specified margin of error) when there is low risk of overfishing or there are significant social and economic benefits.
- The Endangered Species Act (ESA), Marine Mammal Protection Act (MMPA), National Marine Sanctuaries Act (NMSA) need separate review. In the implementation of these acts, fishing opportunities may be overly or unnecessarily constrained.
- Cooperative research programs should be adequately funded and specifically provide opportunities for recreational fishermen to be involved with study design, data collection, and reporting.
- Separate regulations should be created for commercial and recreational fishermen. Fishing definitions should recognize subsistence and noncommercial fishing on a regionally appropriate basis.
- ACLs need to be based on solid science with flexibility for non-targeted and incidentally caught species.

- A portion of the Allowable Biological Catch (ABC) should be set aside to test new management strategies through Research Set Asides.

### **3. Recreational Fishing Alliance, Jeff Deem, Testimony before the House Fisheries Subcommittee, "Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act," September 11, 2013**

Jeff Deem delivered testimony from his perspective as a representative of the Recreational Fishing Alliance. However, he also serves as a VA representative on the Mid-Atlantic Fishery Management Council. Jeff's testimony focuses on flexibility in rebuilding fish stocks from the perspective of recreational fisheries. He argues that recreational catch data cannot responsibly or fairly enforce the accountability measures and annual catch limits on recreational anglers. Jeff also details a number of reasons why providing fishery managers with flexible options to address emerging issues in the future will be important (eg. increasing ocean temperatures, ocean acidification, ecosystem management strategies, protected species, species not managed, invasive species, natural cycles of fish, offshore energy).

### **4. Coastal Conservation Association, Website Statement, November 15, 2013**

In a statement posted on its website, the Coastal Conservation Association (CCA) states its support for the 2007 MSA amendments, but holds NMFS responsible for failing to properly manage marine resources. According to CCA, NMFS lacks appropriate data and effort in managing recreational fisheries. Among the issues CCA has identified that must be addressed in the next reauthorization:

- Hard quotas and annual catch limits based on infrequent stock assessments are not the tools to manage robust recreational fisheries;
- Rebuilding targets and timelines should be based on biological criteria that is tied to the biology of the species rather than tied to an arbitrary time frame;
- Allocations between the recreational and commercial sectors remain a critical component of fisheries management that is virtually ignored by current federal managers;
- State-based fishery management has proven to be far more effective than federal fisheries management in many fisheries and it would be highly productive to develop procedures for inter-jurisdictional coastal state management of marine species where appropriate and beneficial.



## **Commercial Industry Comments on MSA Reauthorization**

### **5. Center for Sustainable Fisheries, Brian Rothschild, “Rewriting the Magnuson-Stevens Act,” Keynote Address, 2013 Pacific Marine Expo, Seattle, Washington, November 20, 2013**

Brian Rothschild, in his capacity of CEO at Center for Sustainable Fisheries, has released a number of papers on the topic of MSA reauthorization, including a general policy paper and comments on the House and Senate draft reauthorization bills. CSF’s general recommendations fit into four major categories:

- Develop timeframe for MSA reauthorization
- National Standards update
- Emphasize optimum yield
- Address the “best science available”

### **6. Gulf Seafood Institute, David Krebs, Board member of the Gulf Seafood Institute, Testimony before the House Fisheries Subcommittee, “Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act,” February 4, 2014**

David Krebs is a board member of the Gulf Seafood Institute and owner of Ariel Seafoods. In his testimony, David states that the 2007 MSA amendments are working in most cases. He devotes much of his written testimony to red snapper management in the Gulf of Mexico, and highlights the Gulf Seafood Institute recommendations released in November 2013. Those recommendations include:

- Opposing the current rebuilding requirements and supporting a biologically-based approach for rebuilding plans.
- Revising the ACL process to increase flexibility, particularly where fish stocks lack enough data to make sound management decisions. Data collection, he argues, must be improved by accounting for actual “take,” both retained and discarded, for fishery managers to set appropriate ACLs.
- Requiring marine enforcement action fines and permitting fees to stay within the region in which they were collected.
- Providing SSC’s and Councils with the ability to immediately react to crises and other situations in a timely manner. David believes the overly long notice period from meetings needs better integration and should be more flexible.
- Establishing strict accountability measures for the Councils, including a revision of the Council membership and appointment process to ensure fair and equitable representation from both the commercial and recreational communities as well as consumers.

### **7. Vito Giacalone, Policy Director, Northeast Seafood Coalition, Testimony before the House Fisheries Subcommittee, “Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act,” February 4, 2014**

Vito is highly complementary of the House draft, but singles out Section Three, regarding flexibility, in particular. Specifically, the Northeast Seafood Coalition (NSC) supports removing the ten-year rebuilding requirement and replacing it with the provisions contained in the House draft reauthorization bill. He also noted support for extending from two years to three, the amount of time to end overfishing.

With regard to rebuilding strategies, Vito testified that NSC supports alternatives including harvest control rules and fishing mortality targets. He supports revising the current definition of overfishing to accommodate multiyear evaluations of overfishing as a means to smooth the management responses to fluctuations. A strategy structured around Fmsy, he argues, will provide the space to effectively smooth management responses to drastic fluctuations in stock abundance estimates.

**8. United States Seafood, Mark Fina, Senior Policy Analyst, Testimony before the House Fisheries Subcommittee, “Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act,” February 4, 2014**

Mark Fina worked as the Senior Economist at the North Pacific Fishery Management Council for 11 years. As such, he devotes the majority of his written testimony to data confidentiality issues. He states that existing reports and analyses provide ample information for decision making and stakeholder participation in the Council and regulatory process, and also that existing data and information available to stakeholders is ample to decide whether management changes should be advocated. David argues that aggregate data is sufficient for Council members and stakeholders to understand the implications of alternative management actions in all but the rarest of instances, while protecting the confidentiality of the data. At the end of his testimony, Mark makes brief comments on the major provisions of the House reauthorization bill, generally in support of the bill.

**9. Rick Marks, Robertson, Monagle & Eastaugh, Testimony before the House Fisheries Subcommittee, February 4, 2014**

Rick Marks is a Principal at Robertson, Monagle & Eastaugh, P.C., where his clients include fishermen, fish houses, shore-based processors, fishing associations and fishing-dependent coastal communities in Alaska, Washington, Oregon, California, Florida (Gulf Coast, East Coast, and the entire FL Keys), New Jersey, New York, and Rhode Island. His background includes service on the Mid-Atlantic Fishery Management Council, as a supervisory marine fish biologist for the State of North Carolina, and as a Fishery Reporting Specialist and Benthic Marine Field Technician for NOAA. Rick’s comments include a detailed section by section analysis of the House draft reauthorization bill. Overall, Rick is supportive of the bill, especially with respect to flexibility in ending overfishing and rebuilding timelines, and the ability of councils to set ACLs above the fishing level recommendation of SSCs.

## Conservation Stakeholder Comments on MSA Reauthorization

### **10. Institute for Ocean Conservation Science, Stony Brook University, Ellen K. Pikitch, Ph.D, Executive Director, Testimony before the House Fisheries Subcommittee, "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act," February 4, 2014**

Dr. Pikitch is highly critical of the House's draft reauthorization bill. Her top concerns with the draft are:

- It weakens MSA rebuilding requirements.
- It reverses recent gains in better incorporating science in our fishery management system.
- It diminishes the ability of managers to prevent overfishing of forage fish.
- It puts basic fishery data, including information collected using taxpayer support, off limits to the general public.

Dr. Pikitch's recommendations for improving the bill are focused on shifting to ecosystem management. Specifically, she recommends the bill:

- Sharpen existing provisions in the Act to protect habitat needed for fish, including habitat adversely affected by non-fishing activities.
- Enhance existing provisions to reduce bycatch.
- Ensure that forage fish are managed to account for the important role they hold in our ocean.
- Require councils to prepare and implement fishery ecosystem plans.

### **11. Ocean Conservancy, Chris Dorsett, Ecosystem Conservation Programs Director, Testimony before the House Fisheries Subcommittee, "Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act," September 11, 2013**

Chris Dorsett's testimony begins with a good review of the 2007 MSA Amendments and analyzes their effects on fisheries of the U.S. He concludes that the rebuilding requirements are achieving the stated goals of recovery for the benefit of the environment and coastal economies. He defends the ten year rebuilding requirement and believes that ample flexibility exists to incorporate social and economic considerations. Chris details following five recommendations to improve MSA:

1. Use existing information like life history, catch and bycatch to set MSST at a level that will avoid lengthy rebuilding timelines. For species with low resilience or in cases where information is lacking, MSST should be set close to MSY to rebuild more quickly and buffer against uncertainty.
2. MSA should be amended to specify that the rebuilding biomass target is the biomass at optimum yield, where OY occurs at some level below MSY and consequently at a biomass level above BMSY.
3. NMFS, Regional Councils, and SSCs should make better use of MSE and MP in making management decisions, including specification of biological reference points and evaluation of alternative rebuilding strategies against management goals in rebuilding plans.
4. The MSA should be strengthened in a manner that supports an ecosystem based approach to management, including rebuilding overfished species. This includes improving the law by better incorporating ecosystem considerations into management through the development of fishery ecosystem plans and strengthening current implementation of the

rebuilding requirements of the law to include aspects of ecosystem rebuilding and resiliency to changing environmental conditions such as restoring population demography, habitat, ecosystem structure and diversity, and coastal communities.

5. Establish monitoring, observation and research programs for our nation's large marine ecosystems to provide additional information for management.

#### **12. Pew Charitable Trusts, Hastings' Empty Oceans Act, January 2014**

Pew is highly critical of the House's draft reauthorization bill. Pew states that the draft bill ignores science and delays action to restore vulnerable fish populations. Pew believes prior to the 1996 and 2007 amendments, MSA contributed to the overfishing that drove the collapse of many fisheries in the 1980s and early 1990s. Rather than undermine progress, Congress should build on the recent successes of the MSA. To address the challenges of a changing climate and the damage caused by unsustainable fishing, Pew believes we should shift to an ecosystem-based management approach that protects habitat, avoids the incidental catch of nontarget species, accounts for the important role of forage fish in the ocean food web, and requires ecosystem level fishery management plans.

#### **13. Conservation Law Foundation, Peter Shelley, Vice President, Testimony before the House Fisheries Subcommittee, "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act," February 4, 2014**

Peter Shelley serves as vice president and senior counsel with the Conservation Law Foundation (CLF). He has also been in charge of fisheries management efforts at CLF since 1989, and represents CLF on the Marine Fish Conservation Network.

Through the perspective of the groundfish fishery in New England, Peter's testimony focuses on concerns he has with the House MSA reauthorization bill. Specifically, Peter is concerned with increased flexibility in ending overfishing and rebuilding stocks, and a provision allowing the councils to set ACLs above the fishing level recommendation of SSCs. Peter attributes the state of New England's fisheries to too much flexibility under MSA prior to 2006 and believes the 2007 amendments are crucial to restoring the region's fisheries. Peter is also supportive of ecosystem-based fisheries management.

## **Managing Entity Comments on MSA Reauthorization (Administration/NMFS/Councils/Commissions)**

### **14. Samuel Rauch, Deputy Assistant Administrator, NMFS**

Sam Rauch has testified numerous times before the House and Senate Fisheries Subcommittees over the last two years. Each time, he has been careful to support NMFS's current management regime under the 2007 MSA reauthorization. Sam supports the current MSA timelines for ending overfishing and rebuilding fisheries. Sam has stated that the regional fishery management system is effectively ending overfishing and rebuilding overfished fisheries, and Council's currently have flexibility under MSA when needed. Sam also supports ACLs, stating that ending overfishing is essential to rebuilding, and annual catch limits are a powerful tool to address prior problems in achieving rebuilding. Sam supports Limited Access Privilege Programs and says they help achieve annual catch limits, reduce the cost of producing seafood, extend fishing seasons, increase revenues, and improve fishermen's safety.

### **15. Tom Nies, Executive Director, New England Fishery Management Council, Draft Council Comments on Discussion Draft for Magnuson-Stevens Act Reauthorization, January 23, 2014**

- The Council supports provisions providing additional flexibility in rebuilding fish stocks.
- The modifications to the Annual Catch Limit requirement suffer from a lack of clarity and potential inconsistencies with other sections of MSA.
- On the "overfished" versus "depleted" issue, the Council supports the use of a term for low stock size that acknowledges that overfishing is just one possible cause for this state.
- The Council supports providing a transcript of all meetings, but opposes live video streaming based on cost.
- The Council supports streamlining MSA and National Environmental Policy Act processes.
- The Council opposes the requirement for a support from a majority of eligible permit holders before creating or amending an FMP to include catch shares.
- The Council opposes the data confidentiality section of the House bill.
- The Council supports the draft discussion language that would require fishing restrictions adopted within National Marine Sanctuaries to be adopted through the MSA process. This is an important and needed clarification.
- The Council supports the draft discussion language that would require any fishery management restrictions needed to implement Endangered Species Act recovery plans to be adopted through the MSA process.

### **16. Rick Robins, Chairman, Mid-Atlantic Fishery Management Council, Testimony before House Fisheries Subcommittee, "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act," February 4, 2014**

Rick Robins currently serves as Chair of the Mid-Atlantic Fishery Management Council. Rick's written testimony highlights a number of concerns with the House draft bill:

- It fails to address accountability requirements in recreational fisheries.
- It does not include a sustainability certification for U.S. fisheries.

- The draft does not include ecological considerations or ecosystem approaches to fisheries management.
- It does not include any provisions for cost-sharing or other funding mechanisms for observer coverage, and the draft does not extend any of the section 313 provisions to councils other than the North Pacific FMC.
- The draft's proposal to exempt incidentally caught species from ACLs poses several problems.
- This reauthorization should address the mixed-stock exception, as it relates to rebuilding requirements.
- The draft proposes to substantially change the role of the SSC, by modifying the ACL ceiling from the SSC's fishing level recommendation to their overfishing level recommendation.
- With respect to the data confidentiality section of the draft, the draft should safeguard the identity of individuals while ensuring informed decision-making by the councils and NMFS.

Rick further supports changing the changes to the ten-year rebuilding timeframe included in the House's draft bill. Rick supports flexibility in the development of recreational accountability measures. Specifically, he recommends that in recreational fisheries monitored by MRIP, the councils should be able to consider confidence intervals about the catch estimates when developing triggers for accountability measures. Rick noted his support for a federal sustainability certification program to be included in the MSA reauthorization. Rick notes that implementing ecosystem principles in fisheries management could require fishing some individual stocks at levels above FMSY temporarily, which is currently precluded by MSA. Rick states this could be resolved by allow by allowing fishing on individual stocks at levels above FMSY on a temporary basis, if those levels are within ecosystem reference points recommended by the Scientific and Statistical Committee.

#### **17. MAFMC Comments on Magnuson-Stevens Act Reauthorization Discussion Draft, April 30, 2014**

MAFMC provided comments to the House Natural Resources Committee on its MSA reauthorization draft. The letter noted that it does not represent the opinion of all its members. MAFAC provided extensive comments on Section 3 of the House bill, "Flexibility in rebuilding fish stocks." Among the recommendations included in the letter were support for the bill's changes to timelines for rebuilding fisheries. With regard to ending overfishing, MAFMC was hesitant to extend the timeframe to three years unless "highly dynamic fisheries" are defined within the legislation. MAFMC had mixed positions on the proposed exemptions from ACL; opposed setting ABC above the overfishing level; and supports replacing the term overfished with depleted and streamlining NEPA. MAFMC further recommends the addition of forage fish management; a federal sustainability certification; and improved management of highly migrator species.

#### **18. Ben Hartig, Chairman, South Atlantic Fishery Management Council, Testimony before the Senate Fisheries Subcommittee, "Southeast Regional Perspectives on Magnuson-Stevens Act Reauthorization," November 14, 2013**

Ben Hartig is the commercial representative from the State of Florida and current Chairman of the South Atlantic Council. He is also a full time commercial fisherman. Ben notes that the

2007 reauthorization of MSA has done much to help Atlantic coast fisheries rebuild, but also states much of the progress can be attributed to measures taken before 2006 as well (black sea bass, king mackerel, and Spanish mackerel). The South Atlantic Council identified five areas to be addressed in the current reauthorization:

1. Flexibility in ending overfishing.
2. Flexibility in rebuilding overfished stocks.
3. Define overfishing on the basis of the recruitment overfishing level and not MSY.
4. Restrictions on applying harvest moratoriums.
5. Maximum MSY specification for stock complexes.

Ban also notes the next MSA reauthorization should do more for to balance the needs of fish and fishermen, and that National Standard 1 has trumped National Standard 8 since 2007. He also notes that the 2006 MSA reauthorization was predicated on having sufficient data, which is not the case today. He believes the timeframe to end overfishing should be extended, and that that rebuilding timelines should be based on biologically based rebuilding time frame based alternative of Fishing Mortality (F)=0 + 1 generation time for all situations.

#### **19. PFMC, Don McIsaac, Executive Director, Testimony before the Senate Fisheries Subcommittee, “West Coast and Western Pacific Perspectives on Magnuson-Stevens Act Reauthorization,” January 30, 2014**

The PFMC’s comments are based on findings that came out of MONF III:

- With regard to rebuilding requirements:
  - Address the discontinuity associated with the 10-year rebuilding requirement.
  - Temper immediate reactions to changes in stock assessments that may merely be statistical “Noise.”
  - Address problems with “rebuilding as soon as possible” in order to properly take into account the needs of fishing communities.
- Explore more flexibility for fishery impacts on data-poor species when the current precautionary approach becomes the bottleneck for mixed-stock fisheries.
- Better align and streamline the National Environmental Policy Act and MSA.
- Include a carryover exception to allow ACLs to be exceeded in order to carry over surplus and deficit harvest from one year to the next, provided there is a finding from the SSC that such a carryover provision will have negligible biological impacts.
- Stocks later determined never overfished should not be help to rebuilding provisions.
- Provide flexibility in requirements and qualifications of for observers.
- Designate one Commissioner seat on the Inter-American Tropical Tuna Commission to represent the Pacific Council.
- Provide flexibility to address rebuilding requirements when environmental conditions may be a predominant factor in a stock’s decline.
- Include a viable mixed-stock exception.
- Replace the term “overfished” with “depleted” to account for non-fishing causes of stock size below minimum stock size threshold.
- Consider a national standard for habitat that can more effectively minimize adverse impacts on essential fish habitat.
- Implement stricter imported seafood labeling requirements in the U.S. market.

- Enhance enforcement capabilities for international fisheries, including at-sea and in-port monitoring and enforcement, and providing assistance to developing countries in their enforcement capacity.
- Improve access to currently confidential harvest or processing information for purposes of enhanced socioeconomic analysis.
- Amend MSA language to change “vessels” to “vessel” in the illegal, unreported, and unregulated certification section.
- Make a consistent distinction between “overfishing” (a measure of fishing rate) and “overfished” (a measure of abundance).

**State Marine Fisheries Commissions Executive Directors, Robert Beal, Randy Fisher, Dave Donaldson**

**20. Testimony before the Senate Commerce Committee “Developments and Opportunities in U.S. Fisheries Management” March 19, 2013**

ASMFC: Bob Beal’s testimony is focused on fishery-independent and dependent data collection programs that ASMFC participates in. Specifically, the fishery-independent programs discussed were ACCSP, NOAA Fisheries, Fisheries Statistics Division, and MRIP. The fishery-dependent programs discussed included NEAPMAP, SEAMAP, and a number of Species-Specific Surveys.

GSMFC: Dave Donaldson’s testimony highlights the importance of the Interjurisdictional Fisheries Act to the states in the Gulf. Among the benefits he describes are funding for disaster assistance (hurricanes Katrina and Rita); stock monitoring, assessment, and research; long-term funding of databases for commercial and non-commercial crustaceans and finfish; and coordination and development of FMPs. Dave also demonstrates the direct effect that reductions in funding to the Interjurisdictional Fisheries Act have affected his Commissions fisheries. Finally, Dave gives an overview of SEAMAP, Gulf Fisheries Information Network, and the Gulf Seafood Traceability Program.

**21. Testimony before the House Fisheries Subcommittee “Data collection issues in relation to the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act” May 21, 2013**

ASMFC: Bob Beal’s testimony begins with an overview of the fishery-dependent and independent data collection programs the Commission participates in. With regard to the role of new technologies in data collection, Bob describes a number of programs developed through the Atlantic Coast Cooperative Statistics Program’s Standard Atlantic Fisheries Information System (SAFIS) including: Electronic Dealer Reporting (eDR), Electronic Trip Reporting (eTRIPS), Voluntary Recreational Logbooks (eLogbook), Single Trip Ticket Reporting (e-1Ticket), and the SAFIS Management System (SMS)

GSMFC: Dave Donaldson describes the Gulf Fisheries Information Network and SEAMAP and their importance to data collection in the Gulf. He also dedicates a large portion of his testimony to the Economic Data Program and highlights the importance of economic data as well as biological data.

PSMFC: Randy Fisher’s testimony focuses on the three west coast FIN programs: Recreational Fisheries Information Network, Pacific Fisheries Information Network, and Alaska Fisheries



Information Network. Randy also discusses the West Coast Fish Ticket Reporting and Compliance Program, electronic log books, and electronic reporting.

## Other Comments on MSA Reauthorization

### **22. Managing Our Nation's Fisheries III, Summary of Findings, May 7 – 9, 2013**

MONF III, sponsored by the eight regional councils, focused on how concepts, policies, and practice of fishery sustainability can be advanced to a higher level. The discussion addressed the MSA reauthorization issues, as well as adjustments to current management that do not require legislation to implement. The conference produced 128 findings through three sessions. The broad topics are listed below:

Improving Fishery Management Essentials (Session 1)

- ACL Science and Implementation Issues, Including Managing Data-Limited Stocks
- Rebuilding Program Requirements and Timelines
- International Fisheries Management: Leveling the Playing Field

Advancing Ecosystem-Based Decision Making (Session 2)

- Assessing Ecosystem Effects and Integrating Climate Change
  - Precautionary and adaptive management
  - Integrated Ecosystem Assessments (IEAs)
- Forage Fish Management
- Integrating Habitat Considerations: Opportunities and Impediments

Providing for Fishing Community Stability (Session3)

- Recreational and Subsistence Fishery Connections
- Integrating Community Protection, Jobs Emphasis, and Domestic Seafood Quality Assurance
- Assessment and Integration of Social and Economic Tradeoffs

### **23. National Research Council Report: Evaluating the Effectiveness of Fish Stock Rebuilding Plans in the United States**

In September 2013, the National Research Council released a report examining the ability of federal fisheries management to reduce overfishing. The study concludes that federal rebuilding plans under the 2007 MSA Amendments are not flexible enough to account for uncertainties in scientific data and environmental factors. The National Research Council concludes that the heavy focus on rebuilding timelines has come at the cost of the socioeconomic benefits. Major recommendations within the report include:

- Basing rebuilding plans on monitoring and controlling fishing levels, rather than on requiring that fish populations recover to a pre-specified target size within a certain timeframe.
- Taking earlier action to avoid overfishing - imposing gradual limits on fishing when fish populations start to drop rather than waiting until they are overfished.
- Modifying the "mixed-stock exception" to expand the range of situations to which it could be applied.