NOAA Fisheries and the Coast: Exploring Opportunities for a National Working Waterfronts Policy?

Tacoma, WA
Panelists

- Keith Rizzardi
  - Chairman, U.S. Marine Fisheries Advisory Committee
- Johnny Williams
  - Williams Boat Service, Galveston, Texas
- Linda Behnken
  - Alaska Longline Fishermen’s Association
- Sebastian Belle
  - Maine Aquaculture Association
- Jennifer Steger
  - NOAA Restoration Center, Pac.NW& Alaska
Audience

• Commercial fishermen?

• Recreational fishermen?

• Boaters?

• Ecotourists?
  – Divers & snorkelers
  – whalewatchers
Formation of Law & Policy

• Layers of Law
  – From constitutional rights to policy guidance

• Evolution of Law
  – From ideas to codification

• Alphabet Soup
  – FACA? MAFAC?
## Diversity: Stakeholder & Regional

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Change requires broad consensus... 51% is a failure
Diversity: Stakeholder & Regional

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**Commonality:**

**Working Waterfronts**

Change requires broad consensus... 51% is a failure
Magnuson-Stevens Fishery Conservation and Management Act

Connecting NOAA Fisheries with Working Waterfronts
50 C.F.R. §600.310

National Standard 1--Optimum Yield

(a) Standard 1. Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield (OY) from each fishery for the U.S. fishing industry.
But what is “optimum yield?”

- Overfishing Limit (OFL) corresponds with the Maximum Sustainable Yield.
- Acceptable Biological Catch (ABC).
- Annual Catch Limit (ACL).

Figure 42.2: Total U.S. commercial landings (mt) of Atlantic sturgeon.
(a) *Standard 8.* Conservation and management measures shall ... take into account *the importance of fishery resources to fishing communities* by utilizing economic and social data that are based upon the best scientific information available
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National Standard 8--Communities

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National Standard 8--Communities

(a) *Standard 8.* Conservation and management measures shall... take into account the importance of fishery resources to fishing communities by utilizing economic and social data that are based upon the best scientific information available in order to:

(1) Provide for *sustained participation* of such communities; and

(2) To the extent practicable, *minimize adverse economic impacts* on such communities.
A National Working Waterfronts Policy: Panel Discussion

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<th>Stakeholder Perspective</th>
<th>Topics to Explore</th>
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<td>Benefits to working waterfronts</td>
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<td>Recreational fisheries</td>
<td>Major concerns and challenges</td>
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<td>Aquaculture industry</td>
<td>Specific recommendations</td>
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<td>Habitat protection</td>
<td>Potential for policy consensus</td>
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Exploring a National Working Waterfronts Policy?

Themes, Obstacles & Opportunities
Themes

• DATA & METHODS: more precision in socio-economic data to support regulatory decision making

• THE FEDERAL FAMILY: improved coordination between federal agencies, especially on mitigation

• NOAA OUTREACH: enhanced federal outreach to and communication with state and local governments and stakeholders
Existing MSA Regulations
50 C.F.R. §600.310(l)(4)

• (4) National Standard 8 (see § 600.345). National Standard 8 directs the Councils to apply economic and social factors towards sustained participation of fishing communities and to the extent practicable, minimize adverse economic impacts on such communities within the context of preventing overfishing and rebuilding overfished stocks as required under National Standard 1. Therefore, calculation of OY as reduced from MSY should include economic and social factors, but the combination of management measures chosen to achieve the OY must principally be designed to prevent overfishing and rebuild overfished stocks.
The National Ocean Policy

• Executive Order

• Final Recommendations of the Interagency Ocean Policy Task Force

• Draft National Ocean Policy Implementation Plan
The National Ocean Policy & Ecosystem Based Management

• Develop and initiate an *outreach and education* program to inform stakeholders and the public of the benefits and principles of EBM...

• Develop introductory and advanced *training* materials *for Federal managers* and scientists to obtain a *common understanding of EBM* principles, best practices, and latest decision support tools...
The National Ocean Policy & Economic Opportunity

- Scientific information will *increase opportunities for economic growth*, create new jobs, and optimize traditional ocean uses such as working waterfronts, sustainable fisheries, tourism, and domestically produced energy.

- **Collaboration** among Federal government agencies, private industry, and other partners will facilitate the transition from basic research to applying the findings in commercial markets.
The National Ocean Policy & Coastal Habitat Restoration

- The capability of coastal habitats to sequester carbon is an important but undervalued ecosystem service. It could provide incentives for increased protection of these habitats. This capability requires increased protection and restoration of salt marsh, mangrove, and seagrass habitats and **better implementation of mitigation requirements** for impacts to these systems.
The Long and Winding Road ...

Tacoma Conference?

Conference Paper?

MAFAC Recommendation?

Secretary directive to staff?

NOAA Policy?

Law?
Questions?

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  – Law professor, St. Thomas University (Florida)
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  – (561) 376-3117
Discussion