



Fact Sheet

End Overfishing Rulemaking

In January 2007, President Bush signed legislation reauthorizing and strengthening the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the law that governs fishery management in federal ocean waters. Strengthening the role of science in fisheries management, the new law requires managers to establish annual catch limits (ACLs) based on sound science and an end to overfishing in U.S. ocean waters by 2011. The National Marine Fisheries Service (NMFS) is now in the process of writing regulations to implement these new requirements.

With nearly one-fifth of assessed U.S. marine fish populations subject to overfishing and more than 50 percent of all populations in an unknown status, it is critical that NMFS writes strong, clear rules that will address this urgent problem. Unlike the current weak rules which were developed in 1996, the new overfishing rules should ensure the use of science-based management, once and for all end overfishing and restore depleted fish populations. To achieve this, the new rule should accomplish the following four critical improvements:

Set conservative ACLs based on the best available science

The reauthorized MSA mandates that federal managers cannot set ACLs higher than their scientific advisors recommend. This science-based management is a critical step toward ensuring that ACLs do not allow overfishing, which harms ecosystems and fishermen alike. Fisheries science often involves uncertainty. To truly achieve an end to overfishing, the new regulations should require catch limits with a buffer to account for the uncertainty. Setting conservative science-based catch levels is the most likely way to achieve an end to overfishing.

Require numeric catch limits that count all fish killed by fishing

The regulations should also require fishery managers to set specific numeric limit—usually measured by pounds or tons—instead of vague targets when determining ACLs. Annual catch limits should account for all fish killed because of fishing, including untargeted catch of other fish (also known as bycatch).

Hold fishery managers accountable

While the MSA calls for an end to overfishing by 2011, NMFS must create strong enforcement provisions to make sure this happens. In any business, managers are held accountable for the company's health. Yet in fishery management, no one is held accountable when management actions result in overfishing. Oftentimes the same detrimental practices are allowed to continue year after year with no consequences for decision makers. The new rules should have clear, strong accountability measures to prevent chronic overfishing.

Move toward ecosystem-based fishery management

Fisheries management must move toward ecosystem-based management. Such an approach would provide direct benefits to the ecosystem by creating a better mechanism for addressing the ecological impacts of fishing. The rule should take a first step toward this goal by establishing more conservative management of prey fish populations that form the base of ocean food chains.

For more information, please contact:

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