

## CHAPTER 9 TABLE OF CONTENTS

<b>Chapter 9 Table of Contents</b> .....	<b>9-i</b>
<b>9.0 Community Profiles</b> .....	<b>9-1</b>
9.1 Introduction.....	9-1
9.2 Methodology.....	9-2
9.2.1 Previous community profiles and assessments.....	9-2
9.3 Overview of the Shark Fishery.....	9-3
<b>Chapter 9 References</b> .....	<b>9-4</b>

## **9.0 COMMUNITY PROFILES**

### **9.1 Introduction**

The Magnuson-Stevens Act requires, among other things, that all FMPs include a fishery impact statement intended to assess, specify, and describe the likely effects of the measures on fishermen and fishing communities (§303(a)(9)).

The NEPA also requires federal agencies to consider the interactions of natural and human environments by using a “systematic, interdisciplinary approach which will ensure the integrated use of the natural and social sciences...in planning and decision-making” (§102(2)(A)). Moreover, agencies need to address the aesthetic, historic, cultural, economic, social, or health effects, which may be direct, indirect, or cumulative. Consideration of social impacts is a growing concern as fisheries experience increased participation and/or declines in stocks. The consequences of management actions need to be examined to better ascertain and, if necessary and possible, mitigate regulatory impacts on affected constituents.

Social impacts are generally the consequences to human populations resulting from some type of public or private action. Those consequences may include alterations to the ways in which people live, work or play, relate to one another, and organize to meet their needs. In addition, cultural impacts, which may involve changes in values and beliefs that affect people’s way of identifying themselves within their occupation, communities, and society in general are included under this interpretation. Social impact analyses help determine the consequences of policy action in advance by comparing the status quo with the projected impacts. Community profiles are an initial step in the social impact assessment process. Although public hearings and scoping meetings provide input from those concerned with a particular action, they do not constitute a full overview of the fishery.

The Magnuson-Stevens Act outlines a set of National Standards (NS) that apply to all fishery management plans and the implementation of regulations. Specifically, NS 8 notes that:

“Conservation and management measures shall, consistent with the conservation requirements of this Act (including the prevention of overfishing and rebuilding of overfished stocks), take into account the importance of fishery resources to fishing communities in order to: (1) provide for the sustained participation of such communities; and, (2) to the extent practicable, minimize adverse economic impacts on such communities.” (§301(a)(8)). See also 50 CFR §600.345 for NS 8 Guidelines.

“Sustained participation” is defined to mean continued access to the fishery within the constraints of the condition of the resource (50 CFR §600.345(b)(4)). It should be clearly noted that NS 8 “does not constitute a basis for allocation of resources to a specific fishing community nor for providing preferential treatment based on residence in a fishing community” (50 CFR §600.345(b)(2)). The Magnuson-Stevens Act further defines a “fishing community” as:

“...a community that is substantially dependent upon or substantially engaged in the harvest or processing of fishery resources to meet social and economic needs, and

includes fishing vessel owners, operators, crew, and fish processors that are based in such communities.” (§301(16))

NMFS (2001) guidelines for social impact assessments specify that the following elements are utilized in the development of FMPs and FMP amendments:

1. The size and demographic characteristics of the fishery-related work force residing in the area; these determine demographic, income, and employment effects in relation to the work force as a whole, by community and region.
2. The cultural issues of attitudes, beliefs, and values of fishermen, fishery-related workers, other stakeholders, and their communities.
3. The effects of proposed actions on social structure and organization; that is, on the ability to provide necessary social support and services to families and communities.
4. The non-economic social aspects of the proposed action or policy; these include life-style issues, health and safety issues, and the non-consumptive and recreational use of living marine resources and their habitats.
5. The historical dependence on and participation in the fishery by fishermen and communities, reflected in the structure of fishing practices, income distribution and rights.

## **9.2 Methodology**

### **9.2.1 Previous community profiles and assessments**

A complete description of the updated community profiles and assessments can be found in Chapter 6 of the 2008 SAFE Report (NMFS, 2008). Chapter 6 of the 2008 SAFE Report consolidated all of the communities profiled in previous HMS FMPs or FMP amendments and updated the community information where possible. Of the communities profiled in the 2008 SAFE Report, ten were originally selected due to the proportion of HMS landings in the town, the relationship between the geographic communities and the fishing fleets, the existence of other community studies, and input from the HMS and Billfish Advisory Panels. The remaining 14 communities, although not selected initially, have been identified as communities that could be impacted by changes to the current HMS regulations because of the number of HMS permits associated with these communities, and their community profile information has been incorporated into the document. The descriptive community profiles in the 2008 SAFE Report are organized by state and include information provided by Wilson, *et al.* (1998), Kirkley (2005), Impact Assessment, Inc. (2004), and recent information obtained from MRAG Americas, Inc. (2008).

In addition, please refer to the Description of the Affected Environment in Chapter 3, Environmental Justice analysis in Chapter 4, the Economic Evaluation in Chapter 6, the RIR in Chapter 7, and the IRFA in Chapter 8 of this document for additional information. Furthermore, each of the management alternatives in Chapter 4 includes an assessment of the potential social

and economic impacts associated with the preferred alternatives. The preferred alternatives were selected to minimize economic impacts and provide for the sustained participation of fishing communities, while taking the necessary actions to rebuild overfished fisheries as required by the Magnuson-Stevens Act.

### **9.3 Overview of the Shark Fishery**

The shark fisheries of the Atlantic and Gulf of Mexico extend from Maine to Texas, and include Puerto Rico and the U.S. Virgin Islands. The geographic extent of the shark directed and incidental commercial permit holders is large, but is currently concentrated in the waters off four states; Florida (55 percent of shark permits), New Jersey (11 percent of shark permits), Louisiana (8 percent of shark permits), and North Carolina (6 percent of shark permits). The shark fishery is notable for the degree of flexibility of the commercial fishing fleet. Of the 499 vessels in the 2008 fleet, 214 vessels (43 percent) held directed shark fishery permits. The remaining 57 percent (285 vessels) held incidental catch permits that target species other than sharks. Vessels which engage in the directed shark fishery do so on a seasonal basis, depending on area and the length of the fishing season, and fish for other species at other times of the year.

Shark directed and incidental permit holders also possess permits in other HMS and non-HMS fisheries (Table 3.32). As of March 18, 2009, there are 100 federally permitted shark dealers, the majority of which are located in Florida (39 percent). Table 3.35 shows the number of shark dealers permitted in each state as of March 18, 2009. Dealers that possess shark permits also often hold dealer permits for other species such as swordfish, dolphin/wahoo, reef fish and snapper/grouper. The additional permits that the commercial shark fishermen and dealers possess may help mitigate economic and social impacts of the preferred management measures. For additional information on the directed and incidental shark fishery, please refer to Chapter 3, Description of the Affected Environment.

## Chapter 9 References

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