

Fishery Disaster Declarations



What is a fishery disaster?

A fishery disaster refers to a commercial fishery failure, a catastrophic regional fishery disaster, significant harm incurred, or a serious disruption affecting future production. The cause of the disaster can vary and will impact the types of relief that may be available after a declaration is issued.

Is a fishery disaster declaration different than other disaster declarations?

Yes. A fishery disaster refers specifically to fishery impacts and is different than disasters declared under other laws. For example, the Stafford Act is a federal law that authorizes FEMA to provide assistance to state and local communities following an emergency or major disaster. A single event, like the opening of a spillway, may result in both kinds of disaster declarations. FEMA authorizations are usually issued in advance of an anticipated event. Fishery disaster declarations require evidence of the impact, meaning that those are issued after the impacts occur.

Who can request a fishery disaster declaration?

A fishery disaster declaration can be requested by the Governor or an elected or appointed representative of an affected fishing community, like a mayor or parish president. The request is made to the U.S. Secretary of Commerce.

The Louisiana Department of Wildlife and Fisheries (LDWF) will gather data on fishery impacts to include in the request for a disaster declaration. Generally, LDWF will assess whether a fishery disaster request should be submitted once an overall 35% decrease in landings has occurred.

Who decides if the fishery disaster declaration will be issued?

First, NOAA Fisheries will evaluate the request including information provided in the disaster declaration request. The U.S. Secretary of Commerce will decide whether or not to issue a fishery disaster declaration.

What happens when a fishery disaster is declared?

The U.S. Congress may appropriate funds for disaster relief. There is not a standing fund for fisheries disasters. If Congress makes fishery disaster funds available, NOAA Fisheries will coordinate the distribution of funds with the State.

What types of relief may be available?

This will depend on the terms of the declaration. Fishery disasters may qualify for relief under the Magnuson-Stevens Act (MSA) and/or the Interjurisdictional Fisheries Act (IFA). Types of relief range from grants to states to direct assistance to fisherman and businesses. The types of relief available will depend on which provisions of the law are triggered by the disaster declaration. The fishery disaster declaration, once issued by the Secretary of Commerce, will identify the types of relief available for that specific disaster.