



***Taking Stock: The Magnuson-Stevens Act Revisited***  
***November 4 - 5, 2010***  
***Roger Williams University School of Law***  
***Bristol, Rhode Island***

**FINAL AGENDA**

*All sessions will be held at Roger Williams University School of Law*

**THURSDAY - NOVEMBER 4, 2010**

- 8:30 a.m.                    **Registration opens**
- 8:30 – 9:00 a.m.           **Continental Breakfast**
- 9:00 – 9:30 a.m.           **Welcome**  
**Ronald O. Champagne, Ph.D.**, President, Roger Williams University  
**David A. Logan**, Dean and Professor of Law, RWU School of Law  
**Susan E. Farady**, Director, Marine Affairs Institute, RWU School of Law
- 9:30 – 10:15 a.m.        **Keynote Speaker: Senator Sheldon Whitehouse (D-RI)**
- 10:15 – 10:45 a.m.       **Break**
- 10:45 – 12:15 p.m.      **Panel I: *The Magnuson-Stevens Act Revisited: Then and Now***  
When the law was first passed in 1976, the state of technology, governance, science and other issues such as climate change, were vastly different than they are today. The law has been amended several times and the subject of much litigation. This panel will explore the law's evolution over time, the cases interpreting the law, the statute's purpose, and how the law might be crafted differently in the future.
- Moderator:**            **Jared Goldstein**, RWU School of Law  
**Panelists:**            **Michael Conathan**, U.S. Senate Subcommittee on Oceans, Atmosphere,  
   Fisheries and Coast Guard  
**Josh Eagle**, University of South Carolina School of Law  
**Eldon V.C. Greenberg, Esq.**, Garvey Schubert Barer  
**Gene S. Martin, Jr., Esq.**, Office of NOAA General Counsel, Northeast  
**Peter Shelley**, Conservation Law Foundation
- 12:15 – 1:30 p.m.        **Lunch**

- 1:30 – 2:45 p.m.      **Panel II: *The Magnuson-Stevens Act and Other Management Schemes***  
 Natural resources within the US and in other countries are managed under different types of legal regimes. This panel will explore how Magnuson-Stevens compares to other domestic natural resource laws and fishery management compares to management of terrestrial resources such as forestry, minerals and grazing lands. Additionally, other countries' fishery management law will be compared to U.S. fishery management.
- Moderator:**      **Michael Burger**, RWU School of Law  
**Panelists:**      **John Duff**, University of Massachusetts at Boston  
                          **Morgan Gopnik**, Duke University  
                          **Phillip M. Saunders**, Dalhousie University/Schulich School of Law  
                          **Lois J. Schiffer, Esq.**, NOAA General Counsel
- 2:45 – 3:15 p.m.      **Break**
- 3:15 – 4:30 p.m.      **Panel III: *The Intersection of Magnuson-Stevens with Other Laws***  
 Key cases have focused on the complex relationship between Magnuson-Stevens and other laws such as the Marine Mammal Protection Act, the Endangered Species Act and the National Environmental Policy Act. This panel will explore how U.S. fishery management law interacts with other laws, how well existing coordination among the different laws works and how it might work better in the future.
- Moderator:**      **Josh Eagle**, University of South Carolina School of Law  
**Panelists:**      **Kaja Brix**, Alaska Regional Office, NOAA Fisheries  
                          **Donna R. Christie**, Florida State University College of Law  
                          **Stephen M. Ouellette, Esq.**, Ouellette & Smith, PA  
                          **Dana Wolfe**, Ocean Conservancy
- 5:00 – 6:00 p.m.      **Reception**      *Mt. Hope Farm, Bristol, RI*
- 6:00 – 8:00 p.m.      **Dinner**      *Mt. Hope Farm, Bristol, RI*

## **FRIDAY, NOVEMBER 5, 2010**

- 8:30 – 9:00 a.m.      **Continental Breakfast**
- 9:00 – 10:00 a.m.      **Keynote Speaker: Eric C. Schwaab**, Asst. Administrator for Fisheries, National Ocean and Atmospheric Administration
- 10:00 – 10:30 a.m.      **Break**

10:30 – 12:00 p.m.

**Panel IV: *Resource Allocation and the Magnuson-Stevens Act***

Fishery management is moving towards more use of ‘privatized’ allocation schemes, such as the recent shift in New England groundfish to sector management. This panel will explore the benefits and disadvantages of these allocation schemes, how the public trust interest in fishery resources is implicated, the evolving roles of government and industry, and the application of other laws beyond Magnuson-Stevens.

**Moderator:** Jonathan Labaree, Gulf of Maine Research Institute

**Panelists:** Vito Giacalone, Northeast Seafood Coalition

Patricia A. Kurkul, NOAA Fisheries Service – Northeast Regional Office

Alison Rieser, University of Hawaii at Manoa

Eric M. Thunberg, Northeast Fisheries Science Center, NOAA

12:00 – 1:00 p.m.

**Lunch**

1:00 – 2:30 p.m.

**Panel V: *Fishery Management, Marine Spatial Planning, and Energy***

The application of the Magnuson-Stevens Act SA will confront new challenges in the future, as interest increases in new offshore uses such as renewable energy development, the application of marine spatial planning and the ramifications of a marine disaster such as the Deepwater Horizon incident in the Gulf of Mexico. This panel will examine how fishery management law functions within an evolving management and policy landscape.

**Moderator:** Dennis Nixon, University of Rhode Island

**Panelists:** Daniel Cohen, Fishermen’s Energy

David E. Frulla, Esq., Kelley Drye & Warren LLP

Grover Fugate, RI Coastal Resources Management Council

Donald A. Migliori, Esq., Motley Rice LLC

Eric C. Schwaab, NOAA Fisheries

2:30 – 2:45 p.m.

**Break**

2:45 – 3:30 p.m.

**Wrap Up Discussion and Conclusion**

*Susan Farady, Marine Affairs Institute*