

Stocks that require conservation and management

50 CFR 600.305(c)

- Magnuson-Stevens Act section 302(h)(1) requires a Council to prepare an fishery management plan (FMP) for each fishery under its authority that is in need of conservation and management.
- Not every fishery requires Federal management.
- Any stocks that are predominately caught in Federal waters and are overfished or subject to overfishing, or likely to become overfished or subject to overfishing, are considered to require conservation and management.
- Beyond such stocks, Councils may determine that additional stocks require conservation and management.

A Council should consider the following non-exhaustive list of factors when deciding whether additional stocks require conservation and management

Factors

- The stock is an important component of the marine environment.
- The stock is caught by the fishery.
- Whether an FMP can improve or maintain the condition of the stock.
- The stock is a target of a fishery.
- The stock is important to commercial, recreational, or subsistence users.
- The fishery is important to the Nation or to the regional economy.

Factors (Con't)

- The need to resolve competing interests and conflicts among user groups and whether an FMP can further that resolution.
- The economic condition of a fishery and whether an FMP can produce more efficient utilization.
- The needs of a developing fishery, and whether an FMP can foster orderly growth.
- The extent to which the fishery is already adequately managed by states, by state/Federal programs, or by Federal regulations pursuant to other FMPs or international commissions, or by industry self-regulation, consistent with the requirements of the Magnuson-Stevens Act and other applicable law.

Evaluating factors

- In evaluating factors, a Council should consider the specific circumstances of a fishery, based on the best scientific information available, to determine whether there are biological, economic, social and/or operational concerns that can and should be addressed by Federal management.
- One or more of the above factors, and any additional considerations that may be relevant to the particular stock, may provide the basis for determining that a stock requires conservation and management.