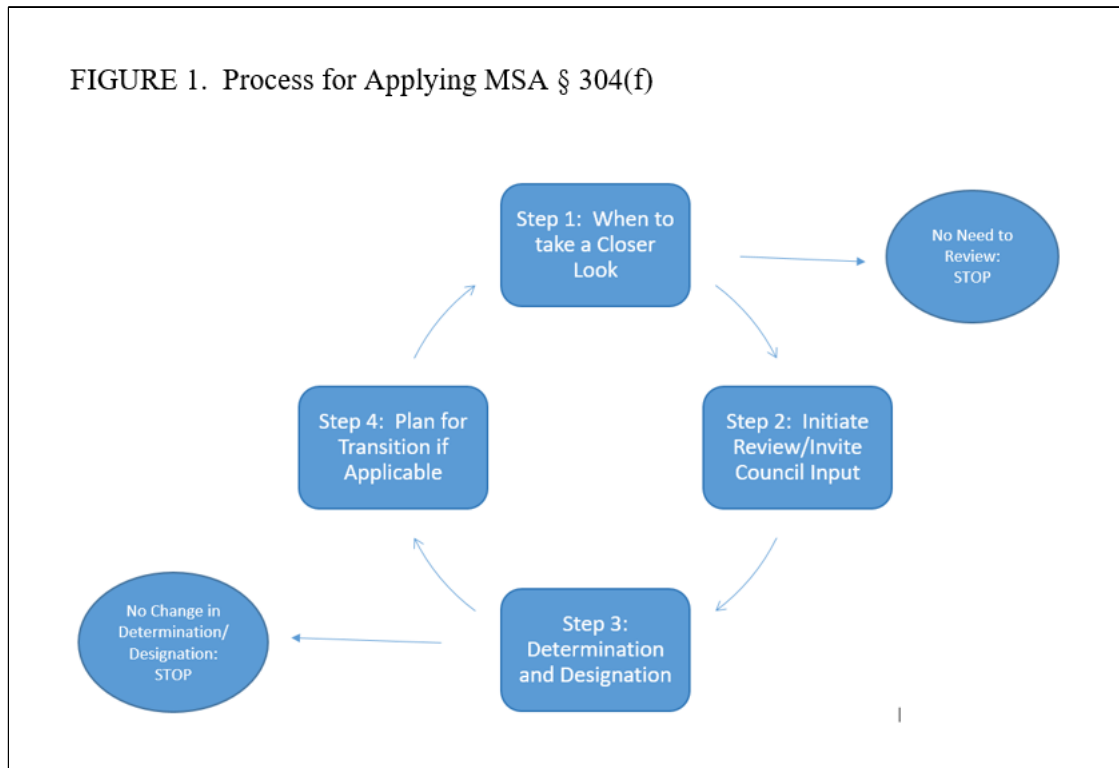


Secretary of Commerce³ to either designate a Council to prepare an FMP, or require the relevant Councils to prepare an FMP jointly. To date, NOAA Fisheries and the Councils have successfully addressed management of fisheries that span multiple Council jurisdictions on a case-by-case basis.⁴ However, given that the geographic scope of fisheries is expected to shift across Council jurisdictions in the future, preparing in advance for these situations, and having an established process and guidance in place for addressing them, will give NOAA Fisheries, the Councils, and the public, a more transparent, orderly, and responsive approach for fishery management.

This document provides guidance on the following topics and indicates NOAA Fisheries’ anticipated approach to applying this guidance: (1) determining when to take a closer look at a possible fishery shift; (2) inviting Council input on determining a fishery’s geographic scope and on designating Council responsibility; (3) NOAA Fisheries making these determinations about geographic scope and designations of Councils; and (4) planning for a transition of governance if applicable.

The flow chart below provides an overview of the 4-step process set forth in this Procedural Directive (PD).



³ MSA responsibilities were delegated from the Secretary to the NOAA Administrator (DOO 10-15 § 3.01(aa)) and re-delegated to the Assistant Administrator for Fisheries (NOAA Transmittal 61 § II(C)(26)).

⁴ For a review of NOAA Fisheries’ management of fisheries that span multiple Councils’ jurisdictions, see Morrison, W., Governance Case Studies on Marine Fisheries that Cross Jurisdictional Boundaries in the United States, NOAA Technical Memorandum NMFS-OSF-10 (Sept. 2021), available at: <https://repository.library.noaa.gov/view/noaa/32347>.

II. Overview of Key Legal Provisions

Section 302(a) of the MSA establishes the eight Councils and designates responsibilities for fisheries off the coasts of their states. Section 302(h)(1) requires each Council to prepare an FMP and amendments “for each fishery under its authority that requires conservation and management.”

Section 303(a)(2) requires that Council-prepared FMPs contain a description of the fishery, including, among other things, the number of vessels involved, the type and quantity of fishing gear used, and the species involved and their locations.

Section 304(f)(1) provides that for fisheries that extend beyond the “geographical area of authority of any one Council,”

- (1) the Secretary may—
 - (A) designate which Council shall prepare the fishery management plan for such fishery and any amendment to such plan; or
 - (B) may require that the plan and amendment be prepared jointly by the Councils concerned.

The MSA defines “fishery” as:

- (A) one or more stocks of fish which can be treated as a unit for purposes of conservation and management and which are identified on the basis of geographical, scientific, technical, recreational, and economic characteristics; and
- (B) any fishing for such stocks. § 3(13).

The MSA defines “stock of fish” as:

a species, subspecies, geographical grouping, or other category of fish capable of management as a unit. § 3(42).

In describing the fishery, the FMP must comply with National Standard 3, which requires that:

To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination. § 301(a)(3).

The National Standard 3 Guidelines explain that, within this strong preference for managing a stock as a unit throughout its range, a less comprehensive management unit may be justified. 50 C.F.R. § 600.320(c), (e)(2). For example, if complementary management exists or is planned for a separate geographic area or for a distinct use of the stocks, or if the unmanaged portion of the resource is immaterial to proper management, separate management units may be allowed. *Id.* § 600.320(e)(2).

III. Determining the Geographic Scope of a Fishery and Council Authority

As of the date of this Procedural Directive, for most currently managed fisheries, initial determinations of geographic scope and designations of Council responsibility for preparing FMPs have already been completed. NOAA Fisheries does not anticipate conducting reviews or changing these designations unless there is a change in circumstances (i.e., a suspected shift) or a request to conduct a review by a Council or Councils. The process set forth below provides further information on how NOAA Fisheries intends to proceed when there is indication of a potential fishery shift.

For a newly emerging fishery that has not previously been managed under the MSA and is in need of an initial designation of Council authority, NOAA Fisheries may choose to apply this process. If so, that would begin at step 2.⁵

A flow chart providing a high-level overview of this process is set forth in Figure 1.

STEP 1: Determine When to Take a Closer Look.

NOAA Fisheries does not intend to routinely review existing Council designations on a fixed schedule. However, if NOAA Fisheries becomes aware of issues that indicate a fishery *may* be experiencing a geographic shift, NOAA Fisheries will evaluate relevant indicators and other pertinent information, specific to the stock, fisheries, or situation and determine whether to initiate a more formalized review to further examine the issues in consultation with the relevant Councils.

a. When NOAA Fisheries will undertake a closer look:⁶

- i. A Council or Councils request a review. A Council requesting a review should provide context for why the review is being requested. This may include data supporting the hypothesis, public input, or other relevant indicators, as outlined below.
- ii. Changes in indicators. Changes in indicators relevant to whether a fishery *may be experiencing* a geographic shift can cause NOAA Fisheries to take a closer look. NOAA Fisheries will evaluate existing products to determine how to incorporate automated evaluation of indicator changes.

b. Relevant Indicators

The indicators below are intended to serve as potential “early warning flags” that changes *may be* occurring that warrant further, more robust investigation and discussion. NOAA Fisheries **will not make** a definitive determination as to whether a fishery has shifted at this step of the process. Rather, these indicators will be used to determine when to undertake a more formal evaluation of whether a shift has occurred and invite Council input via step 2.

⁵ In general, NOAA Fisheries has provided guidance for determining when there may be a need for conservation and management, and Councils have established processes for addressing such needs. In most cases, there will not be a need to apply this policy to address newly emerging fisheries. If NOAA Fisheries does use this policy to address a newly emerging fishery, NOAA Fisheries may consider extending the times for soliciting Council input in light of the context of the conservation and management needs.

⁶ NOAA acknowledges there could be additional circumstances that could warrant a review other than those described here.

NOAA Fisheries considers any one of these indicators to be generally sufficient to trigger a review. However, recognizing that there may be some situations in which these indicators are not suitable and/or may inappropriately capture some fisheries in which the fluctuations are within a normal range, NOAA Fisheries, in collaboration with the requesting or other potentially affected Councils, will review the overall context before determining whether there is a need for a more robust evaluation. Other fishery-specific criteria may also serve as indicators warranting a closer look and these may be identified by NOAA Fisheries or a Council on a fishery-specific basis.

Criteria that can indicate a need for review of the geographic scope of a fishery and/or Council authorities include, but are not limited to:⁷

- A documented shift in stock distribution indicating that at least 20% of a stock's abundance has moved into another Council's jurisdiction.⁸
- A shift of greater than 15% in the proportion of a fishery's recreational fishing effort into another Council's jurisdiction.
- A shift of greater than 15% in the proportion of a fishery's landings revenue accruing to another Council's jurisdiction. This consideration should take into account any regulatory requirements that may be affecting where fish are landed as opposed to where they are caught.⁹

NOAA Fisheries understands that frequent changes in management authority between Councils would be disruptive and it is the intent of this Policy to minimize such changes. To limit the number of reviews of, and the potential for a change in, management responsibility, NOAA Fisheries may use appropriate multi-year averages of the selected metrics. In choosing the sets of years to compare, NOAA Fisheries will consider relevant characteristics of the particular fishery and include a buffer time period between the two sets of years that will be sufficient to identify a relevant shift. The selection of time periods for comparison should be appropriate, in light of the life histories of the fish stocks, to actually identify a potential shift. As an example, for some circumstances a comparison of two sets of 3-year averages could be appropriate.

⁷ These indicators are derived from several science-based proposals that themselves were derived from over nearly two decades of work that document changing marine species distributions. See, Link, J.S., Karp, M.A., Lynch, P., Morrison, W.E. & Peterson, J. 2021. Proposed Business Rules to Incorporate Climate-induced Changes in Fisheries Management. *ICES J. Mar. Sci.* 78:3562-3580. <https://doi.org/10.1093/icesjms/fsab219>; Karp, M.A. J.O. Peterson, P.D. Lynch, R.B. Griffis, C.F. Adams, W.S. Arnold, L.A.K. Barnett, Y. deReynier, J. DiCosimo, K.H. Fenske, S.K. Gaichas, A. Hollowed, K. Holsman, M. Karnauskas, D. Kobayashi, A. Leising J.P. Manderson, M. McClure, W.E. Morrison, E. Schnettler, A. Thompson, J.T. Thorson, J.F. Walter, A.J. Yau, R.D. Methot, & J.S. Link. 2019. Accounting for Shifting Distributions and Changing Productivity in the Development of Scientific Advice for Fishery Management. *ICES J. Mar. Sci.* 76:1305-1315. Karp, M., J. Peterson, P. Lynch, R. Griffis (eds.). Contributors: C. Adams, B. Arnold, L. Barnett, Y. deReynier, J. DiCosimo, K. Fenske, S. Gaichas, A. Hollowed, K. Holsman, M. Karnauskas, D. Kobayashi, A. Leising, J. Manderson, M. McClure, W. Morrison, E. Schnettler, A. Thompson, J. Thorson, J. Walter, A. Yau, R. Methot, J. Link. 2018. Accounting for Shifting Distributions and Changing Productivity in the Fishery Management Process: From Detection to Management Action. NOAA Tech. Memo. NMFS-F/SPO-188, 37 pp. Morrison, W., S. Oakes, M. Karp, M. Appelman, J.S. Link 2024. Ecosystem-Level Reference Points: Moving Towards Ecosystem-Based Fisheries Management. *Marine and Coastal Fisheries: Dynamics, Management, and Ecosystem Science*. 16:e10285 doi: 10.1002/mcf2.10285.

⁸ This would not apply to seasonal shifts occurring annually within a year. For many species, NOAA Fisheries lacks data to make conclusive findings about whether a distribution shift has occurred. When evaluating the available evidence, NOAA Fisheries will consider the uncertainties in the underlying data and tools.

⁹ This consideration should also address whether trends in state versus federal landings differ.

It will also be important to consider whether the trends differ between state and Federal fisheries.

The presence of such changes do not necessarily indicate that there has been a geographic shift in the fishery. As part of the consideration of context, NOAA Fisheries will also consider whether these apparent shifts may be reflective of other forces such as economic and market-based decisions, regulatory requirements, the placement of wind farms, or the presence of biotoxins, etc.

Section IV of this document sets forth a non-exclusive list of sources of data to inform determinations under this PD.

c. Determine Whether to Conduct a Review

After considering the relevant information, NOAA Fisheries will determine whether a review of initial determinations/designations is warranted, and, if so, proceed to Step 2 below.

STEP 2: Invite Council Input

If NOAA Fisheries concludes in Step 1 that there is sufficient need to review determinations about the geographic scope of a fishery and the designation of a responsible Council, NOAA Fisheries will notify the relevant Councils, and provide them a specific period of time in which to provide input on:

- The geographic scope of the fishery or fisheries, and
- Which Council or Councils should be designated to be responsible for developing and/or amending an FMP, if needed.

When inviting Council input, NOAA Fisheries will specify a period of time that is no more than 1 year, with the intent of allowing each Council to conduct at least 3 meetings during that time period. In limited circumstances, NOAA Fisheries may extend the time period in order to allow a Council to finalize its recommendations. There are separate sets of legal and policy considerations relevant to each of these determinations. Below are factors that NOAA Fisheries expects to consider for each. Councils are encouraged to submit information relevant to these factors as well as any additional considerations that may be appropriate.

a. Council Input on Geographic Scope of a Fishery

Determining the geographic location of a fishery involves consideration of legal, policy, and scientific issues and includes a certain amount of flexibility.

Within their geographic areas of authority, Councils have discretion, subject to NOAA Fisheries' approval, in describing the fisheries and stocks for management purposes, but must comply with the MSA and applicable laws including requirements to utilize the best scientific information available and document a rational basis for their descriptions.

In addition to the approval authority described in the above paragraph, under MSA § 304(f), NOAA Fisheries has the authority to evaluate and determine the geographic location of fisheries that may occur within the geographic areas of authority of more than one Council.

The factors set forth below will inform NOAA Fisheries' determinations about geographic scope. Councils may submit recommendations pertaining to prioritization of conflicting data inputs and the balancing of competing considerations.

i. Data to Consider

In determining the location of a fishery, it is necessary to consider both the:

- Location of fish species, sub-species, and stocks.
- Location of fishing effort.¹⁰

Section IV of this document provides a non-exclusive list of sources of data pertaining to both the geographic scope of the fishery and the designation of the responsible Council/s.

NOAA Fisheries anticipates that this review phase will consider many of these data, to develop a robust overall evaluation of whether a distributional shift has occurred. Each review will be conducted on a case-by-case basis, given that each situation is anticipated to be unique and dependent on several co-occurring factors.

ii. Additional Considerations

There are multiple factors, in addition to the physical location of the fish and fishing effort, that are important to characterizing the geographic scope of fisheries for FMPs. For example, consistent with the MSA and the National Standards Guidelines, NOAA Fisheries may consider the concepts listed below, and Councils are encouraged to provide recommendations on these where relevant.

- Management goals and objectives of existing FMPs, if any (50 CFR 600.305(b)).
- Need for conservation and management.¹¹
- Management efficiency.
- Biological considerations, including genetics.
- Infrastructure such as the vessels, dealers, ports, etc., that fish for, catch, purchase, process, and otherwise handle the product.

When considering “new” and “expanded” fisheries, NOAA Fisheries and the Councils should consider whether the appearance, or increased abundance, of a species in a new location, or a change in effort in a new location, indicates that a fishery extends beyond the geographic boundary of one Council.¹²

b. Council Input on Designation of a Council or Councils

While it is NOAA Fisheries' role to designate the Council or Councils to be responsible for preparing the FMP and amendments for fisheries extending beyond the geographical area of authority of a single Council, Councils may submit, jointly or separately, recommendations for this designation. Councils may wish to include in their recommendations, any additional relevant

¹⁰ In any location, effort may be categorized as commercial, recreational, subsistence, or a combination of these.

¹¹ NOAA Fisheries' existing guidance pertaining to whether a fishery is in need of conservation and management is at 50 CFR 600.305.

¹² As discussed in footnote 5, *supra*, it will not always be necessary for NOAA Fisheries to apply this policy for newly emerging fisheries. NOAA Fisheries may determine to what extent it is appropriate to apply only portions of this policy, and/or extend its timelines, depending on the specific context of the potential needs for conservation and management.

information that would assist NOAA Fisheries in making a designation. For example, they could submit:

- Descriptions of how they would plan to cooperate with the other Council(s) and/or accommodate interests of stakeholders from other regions. This may include descriptions of challenges in any current system such as lack of stakeholder representation or other concerns regarding equity or fairness.
- Information pertaining to the considerations below in section (i).
- Additional information NOAA Fisheries should consider.

Designation of management authority may be expressed as one of the following three options:

- Designation 1: One Council, One FMP. The Secretary designates one Council to manage the fishery throughout its range.
- Designation 2: Multiple Councils, One FMP. The Secretary designates multiple Councils to jointly manage the fishery throughout its range within a single FMP. This may include designating one Council as the “lead.”
- Designation 3: Multiple Councils, Multiple FMPs. The Secretary designates multiple Councils to manage the fishery via multiple FMPs.

i. Considerations

In designating a Council or Councils to be responsible for developing an FMP, if needed, NOAA Fisheries may consider, among other things, available information on:

- Geographic range of the fishery or management units (current and historical).
- Number of and geographical distribution of species, sub-species, and/or stocks.
- Characterization of need/s for conservation and management (can include social, economic, or ecological factors, ecosystem functions, etc.).
- Efficiency/responsiveness/adaptability of management.
- Representation, access, and participation of stakeholders and interested parties in the decision-making process that develops fishery management measures. This includes demonstrated ability, or articulated plans, of a Council to accommodate stakeholder needs from other jurisdictions.
- Location of fishing effort/activities, including the location of regulatory discards.
- Location of landings.
- Location of wholesale dealers.
- Location of current and potential future processing facilities.
- Existing permits.
- Community impacts, including community dependence, community adaptability, and community access to adjacent fisheries, fairness, equity, and environmental justice.
- Inter-relationships with other managed species.
- Need for cross-jurisdictional coordination (e.g., potential for effort shifts if management measures are different under multiple FMPs).
- Objectives of existing FMPs, and effectiveness of existing oversight in achieving those objectives (e.g., overages, overfishing, or rebuilding progress) and reasons the oversight is effective or not.
- Optimum yield, National Standard 3, and other National Standards.

- Ability to maintain fishing mortality targets and limits across the range of the fishery.¹³
- Cost.
- Existence of data collection programs.
- Comparative effectiveness of existing examples of single versus joint Council management in other fisheries.
- For fisheries with an international component, which Council primarily works with the relevant regional fisheries management organization.
- Working relationships with State partners.
- Other factors deemed as relevant to the specific scenario under consideration.

ii. Presumptions pertaining to designations

In general, if a significant aspect of a fishery occurs in the jurisdiction of another Council, there is a presumption that a transition of management should be necessary. This document sets forth examples of presumptions that NOAA Fisheries will use when designating responsible Councils. NOAA Fisheries recognizes that there is no one-size-fits-all approach to what is reasonable for any particular fishery. Thus, these presumptions identify levels that are reasonable on a general level. However, these presumptions may be overcome with explanation and rationale as to why a different outcome is more appropriate.

Examples of presumptions:

- If more than 75% of a fishery's landings revenue accrues to, recreational fishing effort occurs in, or abundance is distributed within, another Council's jurisdiction, there is a presumption that NOAA Fisheries will assign/reassign management authority to the other Council;
- If between 40% and 75% of a fishery's landings revenue accrues to, or recreational fishing effort occurs in, or abundance is distributed within, another Council's jurisdiction, there is a presumption that NOAA Fisheries will either assign joint management authority to the two Councils or assign multiple Councils to develop multiple FMPs.

Councils may recommend alternative metrics and/or year selections for NOAA Fisheries to consider.

NOAA Fisheries may use appropriate multi-year averages of the selected metrics. In choosing the time periods to analyze, NOAA Fisheries will consider relevant characteristics of the particular fishery. The selection of time periods for analysis should be appropriate, in light of the life histories of the fish stocks. For example, depending on the circumstances, time periods such as 3, 5, or 10 years, could be appropriate.

iii. General Note

When applicable, if there is a need for conservation and management and the appropriate Councils fails to act within a reasonable time, NOAA Fisheries may take action under MSA § 304(c)(1)(A).

¹³ When splitting responsibilities for management of a single stock, NOAA Fisheries must ensure all requirements of the MSA can be met under split authority. Each FMP and each management action under that FMP will be evaluated for compliance with the MSA and other applicable law.

Additional considerations and recommendations applicable to each of the three potential designation options are set forth in Appendix 2.

Step 3. NOAA Fisheries Determination of Geographic Scope and Designation of Council/s

NOAA Fisheries will evaluate recommendations from the Council(s) submitted during Step 2 and document the geographic scope of the fishery/ies with three possible outcomes:

- Outcome 1: There is one fishery in one Council’s area of authority. That Council is responsible for that fishery under MSA § 302(a).
- Outcome 2: There are separate fisheries in multiple Councils’ areas of authority. Each Council is responsible for the fishery/ies within its area of authority under MSA § 302(a).
- Outcome 3: There is one fishery that extends into areas of authority for more than one Council. NOAA Fisheries may designate a Council or Councils to be responsible for developing the FMP.

If a designation is needed under outcome 3, NOAA Fisheries will document the rationale for the designation decision and notify the relevant Councils.

If there will be a change in designation, NOAA Fisheries will work with the relevant Councils to develop a plan for a smooth transition to revised governance pursuant to Step 4.

STEP 4. NOAA Fisheries and Councils Plan for a Transition to Revised Council Responsibility

If there is a change in responsibility among Councils, NOAA Fisheries will work with the Councils to develop a transition plan that provides for completion of the transition by no later than 2 years starting from the notification of revised designations. The presumption shall be that the existing FMP will remain in place until and unless the newly designated Council or Councils recommend, and NOAA Fisheries approves, changes in management approaches, such as through a replacement or supplemental FMP or FMP amendment/s. Each transition instance will be unique: NOAA Fisheries and the Councils will need to develop a comprehensive transition plan.

NOAA Fisheries and the Councils should seek to mitigate disruptions to the degree practicable, and the transition plan should:

- Address how actions that are under development will be handled. There is a strong likelihood that new proposals to revise allocations that arise during the transition period will be difficult to justify under the MSA.
- Provide adequate time for the receiving Council to prepare sufficient staffing responsibility. This includes providing for transfer of knowledge between Council staff and Scientific and Statistical Committees (SSCs) where applicable.
- Address how NOAA Fisheries regional offices and science centers will prepare for appropriate transfer of knowledge, data collection and analysis, and other responsibilities, where applicable.
- Establish deadlines and time targets.
- Address permitting and allocation issues.

- Include plans for future adaptability that balance the need to respond to shifting stocks with the need for sufficient long-term stability to support investment in infrastructure.
- Address data collection needs and any necessary standardization or modifications to methods.
- Include a data management plan addressing data storage, data integration, and shared data access.
- Address any additional unique situations or circumstances that arise with the stocks or FMPs in question, in an effort to provide both orderly operations and transparency of processes.

NOAA Fisheries and the Councils will also outline opportunities for stakeholder engagement in the transition plan development and implementation phases.

IV. Sources of Data

The following is a non-exclusive list of sources of data that may be used for developing recommendations and determinations under this PD:

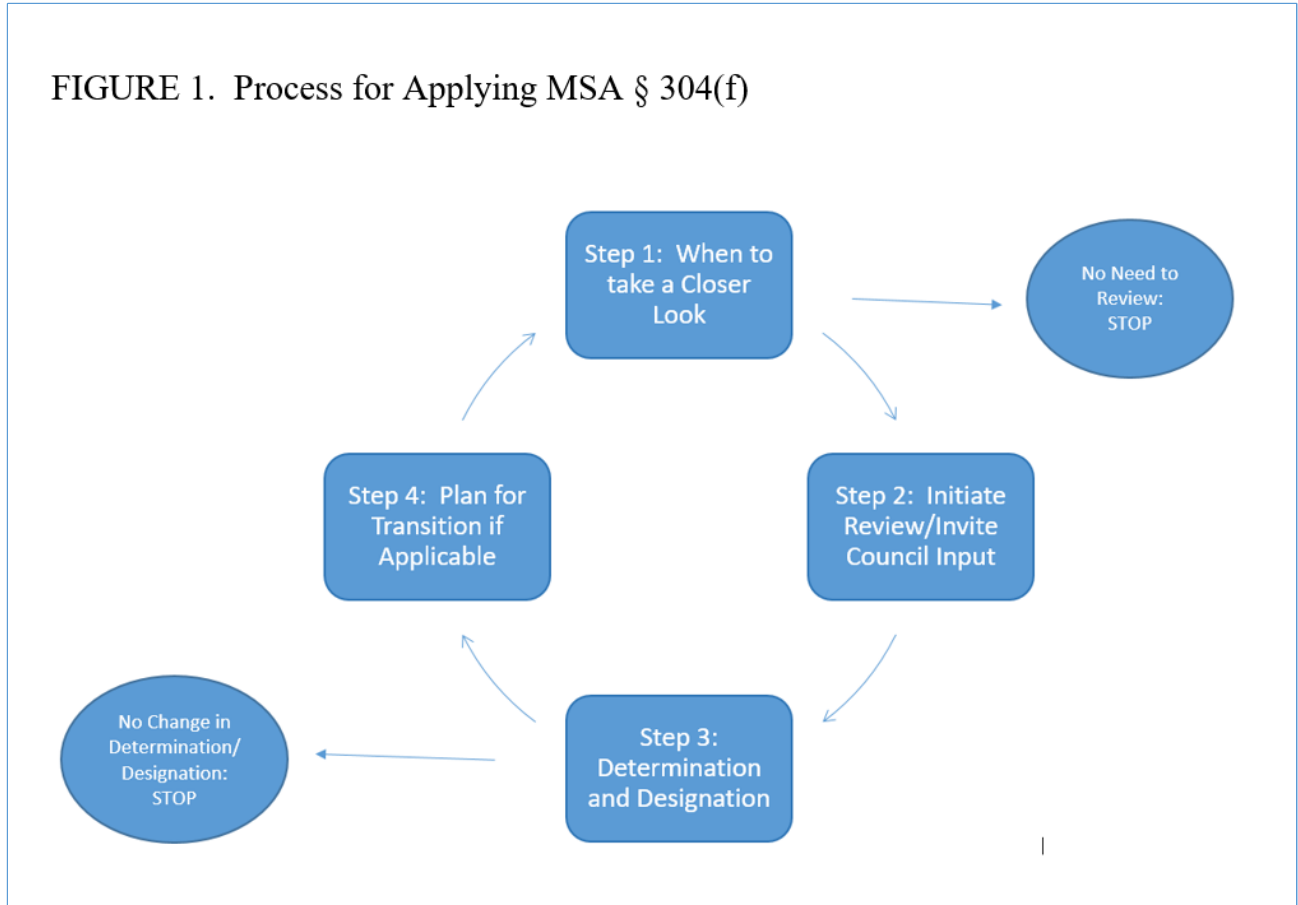
- Stock Assessments.
- Ecosystem models and Integrated Ecosystem Assessments.
- Fishery independent surveys.
- Fishery dependent data.
 - Landings (expressed in terms of amounts of fish, and/or revenue).
 - Observer Information.
 - Logbooks.
 - Vessel Monitoring System (VMS) data.
 - Recreational fisheries catch and effort estimates.
 - Discard data.
- Species distribution information.
 - NOAA’s Distribution Mapping and Analysis Portal (DisMap), <https://apps-st.fisheries.noaa.gov/dismap/>.¹⁴
 - SAFE Reports.
 - Other NOAA Fisheries or Council Analyses.
- Traditional and Ecological Knowledge.
- Council and/or state conducted analyses.
- Stakeholder-provided Information.
- Ecosystem Status Reports or similar products.
- Access Point Angler Intercept Survey.
- Socio-economic data sources.¹⁵
- Scenario planning.

¹⁴ We recognize that the boundaries appearing in DisMap are based on survey footprints, and are not broken down by Council/region areas. However, NOAA Fisheries can add in the Council/region boundaries fairly easily. In addition, other users can draw their own areas of interest to view. NOAA Fisheries is continuing to refine DisMap’s capabilities.

¹⁵ For example: see this website for information on social indicators for coastal communities. <https://www.fisheries.noaa.gov/national/socioeconomics/social-indicators-coastal-communities>. In addition, most regions have region-specific information.

- Data reporting protocols and any necessary standardized methodologies or modifications to methodologies.

APPENDIX 1: Flow Chart of Process



APPENDIX 2: Specific Considerations and Recommendations for Each Potential Designation

One Council, One FMP for entire range of the fishery

Considerations:

- Challenges for stakeholders from other jurisdictions to provide meaningful input and/or have access to the fishery.
- More cost-effective and efficient, by centralizing decision-making within one body.
- Lower costs of management and enforcement.
- Greater ability to provide timely management responses.

Recommendations:

If this option is selected, the following are recommended:

- Provide for consistent use of committees and liaisons from other geographical areas.
- Allow liaisons from adjacent Councils to vote on committee decisions.¹⁶
- Conduct hearings and meetings in other jurisdictions and/or enable meaningful participation in a virtual setting.
- Partner with adjacent Council(s) on stakeholder outreach.

Multiple Councils, One FMP

Considerations:

- Provides for more representation of relevant stakeholders.
- Determination of which Council has lead (and high Scientific and Statistical Committee/s (SSC/s) provide/s advice) can have significant implications.
- It will be necessary to specify who is responsible for collection, management and provision of data.
- Councils will need to clarify roles of the SSCs regarding authorities and provision of advice to ensure that the ACL is appropriately identified and utilized.
- Less efficient in terms of staffing and reaction time.

Recommendations:

If this option is selected, the following are recommended:

- Consider use of frameworks¹⁷ to allow Councils to move unilaterally on issues, and/or management units, affecting only their interests and to support advanced planning and if-then scenarios to reduce need for coordination in predictable situations that affect the interests of all relevant Councils.

¹⁶ A Council could demonstrate commitment to providing for input from stakeholders in other geographic areas by structuring their committees to include voting representation from other jurisdictions. For example, a Council could create fishery committees that provide for one vote for each state that lands at least 8% of landings.

¹⁷ “Frameworks” generally refers to mechanisms in an FMP and regulations for implementing recurrent, routine, or foreseeable actions in an expedited manner (e.g., in-season closures, quota adjustments, etc.). See Operational Guidelines for the Magnuson-Stevens Fishery Conservation and Management Act Fishery Management Process (October 25, 2017) at Appendix 2, sections C(2)(v) and D. Frameworks, and subsequent regulatory actions taken pursuant to them, must be developed and implemented consistent with requirements of the MSA and other applicable law, including the Administrative Procedure Act, National Environmental Policy Act, Endangered Species Act, and Marine Mammal Protection Act. *Id.*

- Councils should clearly identify processes for review and approval regarding fishery management decisions and FMP amendments.

Multiple Councils, Multiple FMPs

Considerations:

- If a stock is not managed as a unit throughout its range, there must be strong justification in the record (per National Standard 3 and National Standard 3 guidelines).
- How to facilitate effective coordination between SSCs, and between Science Centers (if applicable), for providing advice.
- Designating responsibilities for collection, management, and provision of data.
- How to ensure overfishing is prevented.

Recommendations:

If this option is selected, the following are recommended:

- Develop a plan to ensure that Councils (including SSCs) coordinate on appropriate level and allocation of fishing mortality across jurisdictions.
- If Councils manage separate stocks of fish, stocks should be monitored for changes in biological stock structure.