

# WHAT TYPE OF AMENDMENT IS NEEDED?

Is this action only modifying an **ABC, ACT, or ACL** according to the existing **ABC Control Rule** and formulas for specifying **ACL**?

YES

NO

Consider an **ABBREVIATED FRAMEWORK AMENDMENT**



click each amendment type to get more details and timelines

Does the proposed action meet the **specifications** for a **framework amendment**? The criteria differ for each FMP. Check the **Framework Criteria**.

Did it **meet the Framework criteria** for the FMP it will address?

NO

YES

This action requires a **PLAN AMENDMENT**

This action could be completed through a **FRAMEWORK AMENDMENT**



Is there an **emergency** within the fishery or do **immediate measures** need to be taken to address **overfishing** for which standard rulemaking would take too long?

Consider requesting **EMERGENCY or INTERIM ACTION**

# SUMMARY OF AMENDMENT OR ACTION TYPES



## ABBREVIATED FRAMEWORK AMENDMENT

This process can only be used to adjust ABCs and ACLs using existing approaches. This process typically takes the shortest amount of time to develop and implement but is very limited in scope.



## FRAMEWORK AMENDMENT

Also called a regulatory amendment, it is limited to actions pre-specified in the FMP. This does not necessarily provide a time savings on the Council side of development but does offer time savings during rulemaking.



## PLAN AMENDMENT

Typically take the longest amount of time to develop but is required for major actions or actions that do not fit the framework procedure.



## EMERGENCY OR INTERIM ACTION

Can only be taken in limited circumstances and is applicable for 180 days but can be extended another 186 additional days maximum. The Council can only request the extension if they are working to develop permanent action(s) to solve an issue.

# ABBREVIATED FRAMEWORK

- The Abbreviated Framework process exists for the **Dolphin Wahoo, CMP**, and **Snapper Grouper FMPs**, however it is mainly been used for the Snapper Grouper FMP and will be the focus of this overview.
- Abbreviated frameworks can only be used to adjust **ABCs, ACTs**, and **ACLs according to the existing ABC Control Rule(s)** and **formulas for specifying ACLs and ACTs**. For example:

- ✓ If an ACL is inclusive of MRIP FES recreational unit and is being updated using ABC recommendation also inclusive of MRIP FES units then the action could be completed using an abbreviated framework.
- ✗ If an assessment used MRIP FES recreational landings instead of CHTS landings to inform projections, then the ACL and allocation percentages are based on past landings and would need to be updated through a plan amendment. If not modified, a de facto reallocation would occur.

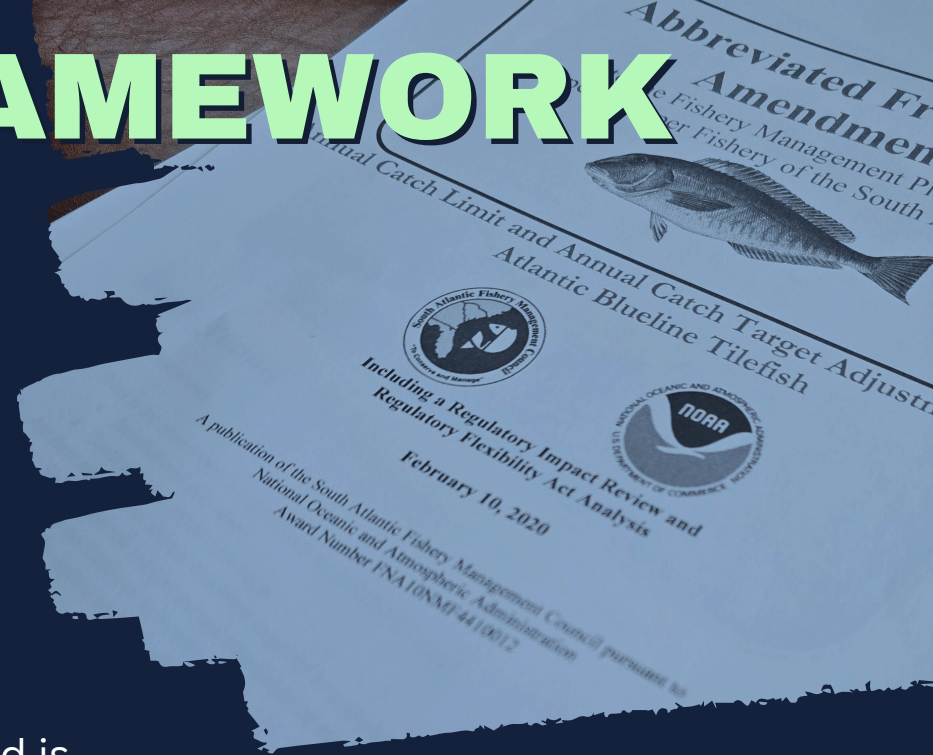
## EXAMPLES:

- [Abbreviated Framework Amendment 1 \(2017\)](#)
- [Abbreviated Framework Amendment 3 \(2020\)](#)



click to view  
the amendment  
webpage

- This process could ideally be completed in two Council meetings. If the Council determines that modifications to the catch levels are appropriate, they will notify the Regional Administrator of their recommendations in a letter with the analysis to support the action.
- Click **HERE** to view the Council timeline for an Abbreviated Framework Amendment.



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# REGULATORY AMENDMENTS

- The types of action that can be completed through a regulatory (also called a framework) action **differ by FMP** but are typically catch level adjustments, regulation changes, seasonal changes, or stock determination criteria. To determine if an action meets the criteria for a framework or regulatory action for the Snapper Grouper FMP, click [HERE](#).
- **Regulatory** and **framework amendments** are essentially the same process, however the term framework amendment has typically been used in the CMP FMP whereas regulatory amendment has typically been used in the Snapper Grouper FMP.



## EXAMPLES:

- [Snapper Grouper Regulatory Amendment 28 \(2018\)](#)
- [Snapper Grouper Regulatory Amendment 33 \(2020\)](#)

- This process takes more time and analysis than an abbreviated framework, but less time to implement than a plan amendment.
- Click [HERE](#) to view the Council timeline for a Framework or Regulatory Amendment.

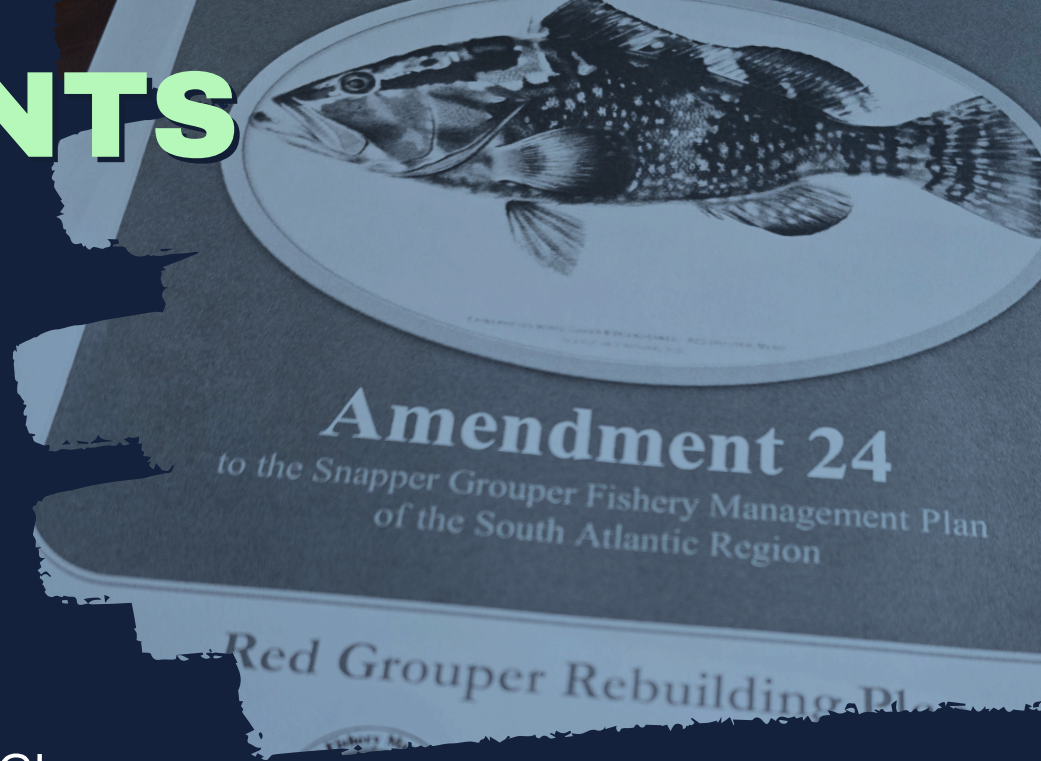
# PLAN AMENDMENTS

- Plan amendments are used for **actions not covered under the framework procedure for each FMP**. Some examples for Snapper Grouper are:
  - Sector Allocations
  - ACL changes where the method of determining the ABC has changed (i.e. changing an ACL from a CHTS based ACL to an MRIP FES based ACL)
  - A limited entry program or endorsement

## EXAMPLES:

- [Snapper Grouper Amendment 16 \(2008\)](#)
- [Snapper Grouper Amendment 24 \(2011\)](#)
- [Snapper Grouper Amendment 55 \(2024\)](#)

- This amendment type typically, but not always, takes the longest for the Council to develop. The rulemaking process for plan amendments also takes the most time out of all the amendment types.
- Click [HERE](#) to view the Council timeline for a plan amendment.



# EMERGENCY AND INTERIM ACTIONS

- **Interim actions** may only be used to reduce overfishing
- Emergency actions should be used only when:
  - there is an **extremely urgent** need for action or,
  - there are **special circumstances** where substantial **harm** or **disruption** of the resource, fishery, or community would occur within the time it would take to follow the standard rulemaking process
- Applicable situations for an emergency action:
  - **Ecological** - to prevent overfishing or prevent serious damage to the fishery resource or habitat
  - **Economic** - to prevent significant direct economic loss
  - **Social** - to prevent significant direct community impacts or conflict between groups
  - **Public Health** - to prevent significant adverse effects to health of participants in a fishery or seafood consumers
- The following criteria define an “**emergency**”:
  - Results from recent, unforeseen events or recently discovered circumstances;
  - Presents serious conservation or management problems in the fishery; and
  - Can be addressed through emergency regulations for which the immediate benefits outweigh the value of advance notice, public comment, and deliberate consideration of the impacts on participants to the same extent as would be expected under the normal rulemaking process.
- An emergency or interim action cannot be based on Administrative inaction to solve a long-term problem. Emergency or interim actions are only applicable for 180 days with the ability to be extended for, at max another 186 days.



# COUNCIL TIMELINE FOR DIFFERENT AMENDMENTS

Below are the Council timelines for each amendment type. Each meeting represents a different quarter. Remember that these are general timelines and adding **more and/or complex actions will most likely add time to each timeline.**

## ABBREVIATED FRAMEWORK AMENDMENTS

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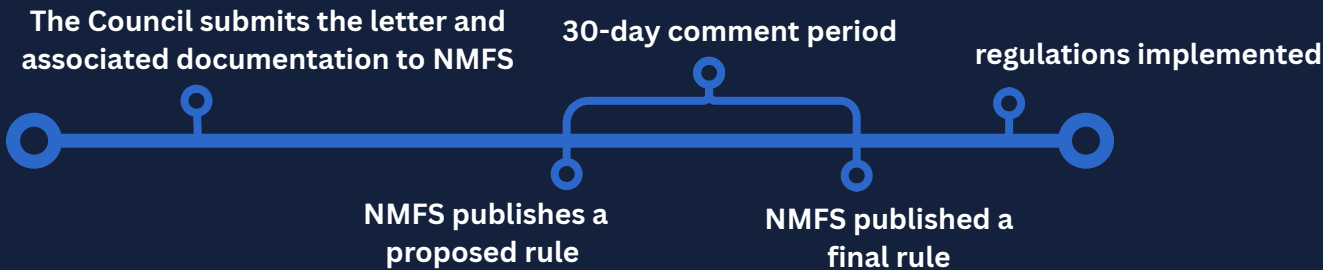


## FRAMEWORK, REGULATORY, AND PLAN AMENDMENTS

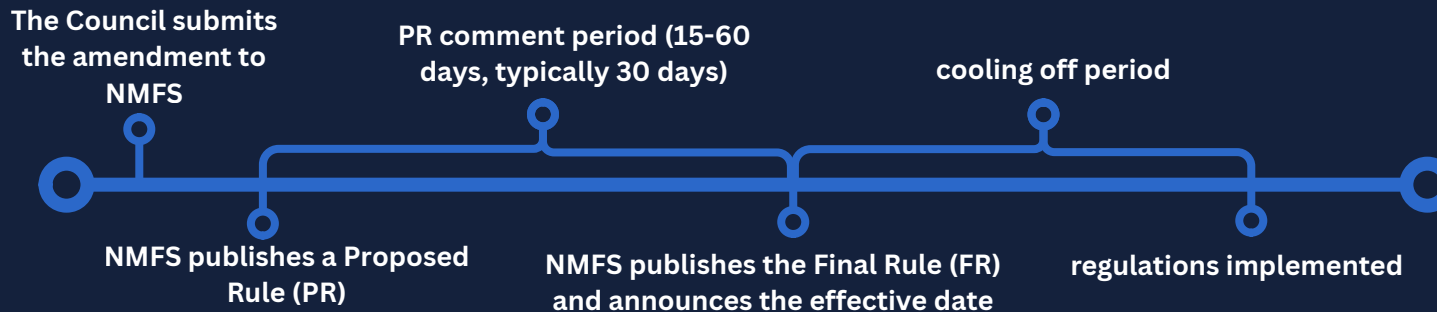


# NMFS RULEMAKING TIMELINE

## ABBREVIATED FRAMEWORK AMENDMENTS



## FRAMEWORK AMENDMENTS



## PLAN AMENDMENTS

