

Summary Report
Law Enforcement Advisory Panel
Drury Plaza Hotel North Charleston
2934 West Montague
North Charleston, SC

January 20-21, 2026

The AP approved minutes from the February 2025 meeting and the agenda for January 2026 meeting.

Public Comment

One federally permitted headboat operator from Florida provided public comment raising concerns about the two-grouper per vessel limit, noting it disproportionately impacts large headboats compared to six-pack charters. She proposed a scaled vessel limit based on number of paying passengers (e.g., 2 fish per 6 passengers, with a cap) and emphasized headboats are highly enforceable due to mandatory reporting, observers, and dockside sampling.

Comment submitted online can be found [HERE](#).

Update on amendments

Staff provided a comprehensive overview of active, pending, and paused amendments.

Update on South Atlantic states' Exempted Fishing Permit (EFP) applications

At the December 2025 Council meeting, representatives from each of the South Atlantic states briefed the Snapper Grouper Committee on the EFP applications that were submitted on November 10, 2025, to explore state management of the recreational red snapper fishery. NOAA Fisheries will solicit public comment on the EFPs in early 2026. The Council submitted a comment letter to NOAA Fisheries on January 26, 2026. Council staff provided a brief overview of the proposals and requested feedback from the LEAP.

The following items were raised during discussion:

- EFPs perceived as a special privilege, raising questions about whether violations should carry enhanced penalties. It was clarified that anglers who are not involved in the EFP are not exempt from the existing federal regulations and penalties would still apply.
- Consistency and adequacy of penalties compared to commercial violations. A member of the LE AP recommended that NOAA Fisheries clarify how penalties will be handled during the EFP period.
- Enforcement capacity is a concern, especially in North Carolina, which does not have a Joint Enforcement Agreement and therefore has limited offshore enforcement resources.
- It was clarified that the EFPs applications will change based on the review by the Southeast Regional Office. The final applications may address some of the concerns.

Commercial Permits and Trip Efficiency (Snapper Grouper Amendment 60)

The Council requested that the LE AP discuss the actions proposed in Amendment 60 particularly the actions addressing trip limits and regulations surrounding bottom longline gear, with recommendations on how to best accomplish the amendment's objectives while maintaining practical and effective enforcement.

Action 1 – Removal of the 2 for 1 permit provision for unlimited permits

The LE AP did not raise any issues with this proposed action and further stated that one-to-one transfers would be quicker and more straightforward. Issues that have come up in the past that have complicated enforcement (e.g., duplicate permits) have been administrative and not related to enforcement.

Action 2 – Trip limit efficiency

- An enforcement concern would be related to the timeline between when the announcement for a trip limit change is used and the effective date of the change. Ideally, there would be enough time (“more than you think you will need”) to ensure the public and enforcement officers are aware of the change. Additionally, enforceability during the lag time could be diminished. However, fish dealers are the “funnel” when it comes to keeping fishermen informed of regulation changes and they are well-informed. There is good communication in the commercial sector.
- Consider that seafood dealers may lose some ability to predict when product is available. Market stability should be considered in a scenario of trip limit step-ups/downs.
- Consider that some areas (e.g., Outer Banks of NC) are losing a lot of fishing days due to weather.
- Suggest adding a column to the SERO ACL monitoring page to display the trip limit in place (updating to reflect any step-up/down changes in effect).

Action 3 – Stowage requirements

- Some AP members were in favor of this action because it would allow fishermen with multiple permits to optimize their trips. Other members were not in favor due to the potential for “ghost gear” if a fisherman were to “cut the line” to avoid getting caught if using illegal fishing gear. In such a scenario, it was noted that enforcement officers would have to locate and grapple the fishing gear to present evidence in the case.
- AP members noted that there is a cost/benefit to this type of action. The Council should evaluate whether the added trip efficiency outweighs the risk of potentially reduced enforcement of bad actors.
- Some members were concerned about the potential for highly efficient gear being used illegally to be capable of decimating local populations of snapper grouper species and suggested the Council consider a VMS requirement on vessels with multiple gear.
- It was noted that a stowage requirement such as the one being considered would have to be enforced “on the scene”. And the further offshore the fishery operates, the less frequently law enforcement would be able to monitor on site.
- Under the proposed action, a law enforcement officer may not be able to tell whether species already on board a vessel were caught with which type of gear.
- The Council could consider mandatory observers to allow a vessel to switch gear during a trip.
- This type of action requires a high level of enforcement that would only be based on what is encountered on the vessel when boarded. That is, stowage requirements would not matter unless the officer can check what activity the vessel is engaged in when boarded.
- Regarding the possibility of using cameras to monitor gear use, AP members noted that depending on the length of the trip, there could be many hours of video recording. Also, cameras would have to be resistant to tampering.

Commercial trip limit sale discussion

During scoping for Amendment 60, fishermen expressed concern over not being able to sell their

commercial trip limits on days that the local fish house was not open, due to the daily requirement. This led to further Council discussions on the intent and enforcement of trip limits and potential changes to consider. In September 2025, the Council passed a motion to initiate action to revise the current regulations. Depending on what regulatory language may change in a potential regulation, the corresponding prohibition language in the CFR may have to be adjusted. The Council requested that the AP discuss the issue and suggest acceptable forms of evidence to denote that an attempt to sell occurred and where there could be potential gaps in the system. LE AP members offered the following:

- The best evidence that a trip limit was landed would be a trip ticket. It has to be filed whether the fish were sold or not.
- It may be better to approach this issue directly with individual dealers where this problem is occurring instead of changing regulations as it doesn't appear to be a widespread issue.
- LE AP members felt they did not have enough info to make any recommendations agreed the issue is not a prevalent one (note: staff distributed an email to the LE AP with the original language of the public comment that initially brought this issue to the Council's attention).

Revision of the Snapper Grouper Fishery Management Unit (Snapper Grouper Amendment 61)

The Council requested the LE AP's feedback on enforcement concerns or benefits from potentially removing 17 species from federal conservation and management. The LE AP offered the following comments:

- General LE view: Enforcement would be primarily an implementation and management issue; officers expect to enforce whatever regulations are in place and identify species while on patrol. Primary operational concerns are clarity of regulations and outreach/education to reduce stakeholder confusion.
 - Need to be clear what is still federally managed and what has been removed from federal management all together.
 - For some states, federal management helps with consistency in regulations between state and federal waters. Try to avoid a mis-match in regulations between state and federal waters.
 - Education will be key.
- Support for ecosystem component (EC) designation: Several AP members favored retaining species as EC (or similar elevated monitoring status) rather than full removal because it would reduce administrative burden while preserving data collection and the ability to act in the future if needed.
 - Maintaining species in the federal FMP also keeps the species within the focus of federal law enforcement officers (NMFS, USCG, etc.). If state managed-only, may not be an enforcement priority for federal officers.
- Florida perspective: Preference for consistent regulations state-to-state to reduce angler confusion; Florida can extend state regulations into federal waters when species are unmanaged federally.
 - Noted that removal from federal management could incentivize targeting of these species as "pathway species" used to qualify for a restricted species endorsement on the state saltwater products license (SPL) resulting in increased commercial pressure.
- North Carolina perspective: Concern about turning over management to states with different procedural processes and potential for quick proclamations with little public notice; also worry about insufficient enforcement presence beyond state waters.
- Recreational perspective: Do not want removal from federal management to be viewed as a

“free for all” since some species being considered are important to the fishery and there should be efforts to avoid depletion.

- Reporting requirements: For EC designation, noted for-hire reporting (charter / headboat) could remain, private recreational reporting not required under current federal rules.
- Identification/aggregate limits: Examples from the Gulf and Florida where aggregate bag limits are used to address identification issues (e.g., rudderfish vs. amberjack) were noted.
- Consensus points: Law enforcement did not view removal as a major enforcement burden but emphasized the need for outreach, clarity of regulations, and coordination with states; there are some potential benefits from removing these species from their current management status but also concerns centered on management and conservation outcomes.

Spawning Special Management Zones: evaluation tool, enforcement and compliance

Members of the LEAP were asked to complete an online survey in advance of the meeting to help in evaluating enforcement and compliance with Spawning Special Management Zones regulations. Survey results were presented during the meeting and will be provided to the SMP Workgroup. Law enforcement input will be incorporated into the Workgroup’s report and used to inform recommendations to the Council regarding whether to maintain the SSMZ or allow them to sunset. Previous LE AP concerns (from Amendment 36) included: enforcement difficulty due to offshore distance, need for buoys and charting, transit/stowage provisions, fishermen’s advanced electronics, and mapping inclusion on charts; NOAA navigation chart inclusion limited due to non-permanence; Garmin and other chart providers show areas slowly.

Survey/evaluation results:

- The shortened survey assessed planning, objectives, boundary definition, roles/responsibilities, coordination, monitoring, enforcement resources, outreach, compliance and stakeholder support. Key results:
- Planning/objectives generally rated positive by several respondents but with some disagreement on sufficiency of evidence.
- Roles, responsibilities and coordination rated weaker in multiple responses.
- Enforcement resources and monitoring were frequently rated insufficient; compliance and stakeholder support mixed/uncertain.
- Most respondents identified enforcement, compliance, and outreach/communication as top needs for improvement.

The LE AP offered the following comments:

- Enforcement challenges: SSMZs are often far offshore (difficulty of patrols and frequency), limited LE resources (few vessels/personnel), need for coordination (NOAA, USCG, state LE, CBP Air & Marine), and challenges with VMS-only enforcement (VMS shows presence but not activity). Visual confirmation (flights) combined with VMS can build cases.
- Buoys: LE views buoy installation as unnecessary for establishing enforceability — coordinates and outreach are primary tools; buoys are vulnerable and can introduce other hazards (shipping, entanglement risk for whales).
- Compliance: success of the SSMZs is tied to compliance; low compliance can mask potential benefits of SSMZs. Outreach/education and community buy-in (conservation-minded anglers reporting violations) are critical.
 - Add the locations to electronic reporting maps
 - Verify Fish Rules has locations – Follow up - there is not a bounding box but the rec app will indicate if you are in a closed area.

- Technology & monitoring ideas: Use aircraft overflights (USCG, partner flights) to gather intelligence and shape patrol plans; VMS could be beneficial for vessels that already carry it, but would not cover all user groups. Radar improvements increase detection range but not necessarily prosecution without corroborating evidence.
- Research gaps: strong desire for concrete evidence of biological benefit; such evidence can be expensive (e.g., close-kin mark recapture, larval connectivity), and benefits may take many years to materialize.

Vessel Limits for Headboats

The Council is exploring vessel-based catch limits for federally-inspected and permitted headboats (those carrying more than six passengers) as an alternative to per-angler bag limits for certain snapper-grouper species (gag, black grouper, scamp, snowy grouper). The Snapper Grouper AP previously recommended vessel limits proportional to passenger counts (e.g., two gag/black grouper per six passengers, with a maximum cap), and requested that regulatory amendments analyze headboat-specific alternatives. The Gulf has precedents for headboat-specific regulations. The Council requested the LE AP’s feedback on enforceability of the potential changes and any other enforcement issues that could arise ahead of continuing discussing the topic in March 2026.

The LE AP provided the following feedback:

- Primary LE concern: enforceability depends on clear, simple rules and ability to verify passenger counts and fish onboard. Counting passengers (headcount or captain’s manifest) and checking fish hold/ice chests are core enforcement actions.
- Avoid percentage-based limits (law enforcement “don’t do math” in the field). Use simple multiples (per 6 passengers) or clear vessel-cap based limits.
- Clear documentation: require headboats to maintain passenger manifests/records that can be reviewed at boarding — facilitates quick verification of allowable catch.
- Implementation complexity: multiple vessel sizes and capacities complicate management; any vessel-specific entitlement (based on COI or permit) would require accessible information for LE (permit/COI listing) to be effective.
- Potential reallocation/conservation implications: some LE and council members flagged that vessel-based limits could effectively increase total catch (e.g., if headboats large capacity receive extra entitlement) and noted snowy grouper ACLs and recent recreational ACL overages — management analyses must assess conservation impacts and potential reallocation across user groups.
- The Council will need analyses of catch-per-passenger frequency, historical catch rates, and potential ACL effects before advancing regulations.

Updates

The LE AP received updates from Council staff on the following topics:

- Biological Opinion for the Shrimp Fishery and the new workgroup that has been created to develop workable solutions to reduce interactions between giant manta rays and small tooth sawfish in the South Atlantic shrimp fishery.
- Citizen Science Program and ongoing projects.
- Lines of Communication.

Joint Enforcement Agreements updates (for FY 2025) and descending device compliance:

Florida

JEA patrol hours reported: ~1,309 hours regional asset patrol; ~1,117 offshore patrol vessel hours; ~1,354 hours Fort Keys National Marine Sanctuary contributions; ~470 hours IU & IFQ patrol. Reported 409 combined citations/warnings year-to-date (175 warnings, remainder citations). Descending device compliance improved (approx. 65–70% compliance) with continued education efforts.

Georgia

~48% completion of JEA contract for the year; nine JEA referrals to date (some upstream to NOAA OLE). Right whale response efforts noted (multi-agency). Observed descending device compliance ~60–65%; enforcement continues emphasizing accessibility and readiness of devices on vessel.

South Carolina

There was a good shrimp crop this year inside SC state waters General Trawl Zone so LE officers have been working TED compliance from the beginning of the contract year. There have been a couple state violations on license/permits and a fixable at-sea TED violation. Red Snapper/Offshore, one Federal case packet for referral to NOAA of possession in Federal waters of red snapper was prepared. LE officers are currently focusing on red snapper and shallow water grouper in Federal waters.

MMPA: is currently patrol priority for this time of year, the Beaufort County unit is actively working on a state violation of crab pots set in State General Trawl Zone during trawl season (which is illegal).

IUU: LE officers have requested access to port to check shipping containers when they are aware of one inbound.

General Enforcement: working inshore patrols, dockside Commercial vessel/dealer inspections, spring public presentation season for captain's meeting, wildlife expo, etc.

North Carolina

No JEA; staffing has fluctuated due to retirements; new resources (vessels) expected to increase offshore capacity. Descending device compliance improving thanks to outreach and boarding-level education; enforcement capacity offshore remains limited.

Multi-state enforcement notes

Enforcement across states benefits from coordination (JEA, priority patrols, USCG/CBP air support, shared intelligence). Education, outreach, and quick publicity after adjudications help deter violations. Observed disparity in enforcement outcomes across sectors (recreational vs commercial) and jurisdictions; outreach and consistent prosecution are important to maintain compliance.

Election of Chair and Vice Chair

The LE AP elected Major Michael Paul Thomas (SCDNR) to serve as Chair and Captain Chris Hodge (GADNR) to serve as Vice Chair.

Other Business

A panel member raised concern over the king mackerel tournament sale exemption: recreational anglers participating in tournaments donate catch to tournaments which then sell the aggregated catch to dealers (proceeds go to charity). This process allows many private boats (some small outboards) to enter fish into the commercial market without commercial permits, commercial reporting, or required commercial vessel safety equipment. Enforcement and safety concerns cited:

- Safety: Small recreational boats that are not inspected for commercial safety (life rafts, EPIRBs, survival suits) may transit far offshore or be exposed to commercial risk. 46 CFR

Part 28 safety rules apply to commercial fishing operations but not to tournament entrants operating under the recreational/tournament pathway.

- Chain-of-custody and traceability: Tournament pathway bypasses usual commercial logbooks and dealer ticket pairing (traceability), creating a gray market and potential laundering risk.
- Dockside enforcement complexity and inconsistency among states.

LE AP Discussion:

- Panel members noted this is largely a management/regulatory policy issue (for Council/NOAA/states/commissions) rather than strictly an LE enforceability issue, because current federal law/regulations and practice define tournament sale exemptions and state-level oversight; changing them would require regulatory/policy action.
- Suggested actions: pursue Council-level motion or petitions to NOAA to amend rules; raise the issue with state marine fisheries commissions (some states could restrict or change state-level acceptance of tournament-product sales); increase publicity, monitoring and documentation where problems are suspected.