



THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

Revisions to Commercial Trip Limit Sale Requirements and Abbreviated Framework Procedures

AP Discussion Paper

October 2026

Commercial Trip Limit Sale

Background

During scoping hearings for Snapper Grouper Amendment 60 the Council received comments related to the enforcement of daily trip limits sales, noting that for areas where fish houses are open for limited hours on weekends, fishermen cannot sell their harvest each day. Because they can only sell one trip limit per day, they miss out on being able to fish and generate income on days when dealers are unable to buy their harvest.

In September 2025, the Council stated that the intent of limiting purchase or sale was to allow for more efficient enforcement, not to prohibit harvest on days when fish houses are closed. Council members also noted that the completion of a “sale” is unclear, given current practices in the commercial sector (fish may be transferred from the fishermen to the dealer, but payment for those fish may occur later).

The issue was discussed at subsequent Council meetings, and it was determined that the regulations that govern the sale of commercial trip limits for other SAFMC-managed fisheries (i.e., coastal migratory pelagics and dolphin wahoo) are written similarly. Hence, the Council instructed staff to begin working on a comprehensive amendment to the Snapper Grouper, Coastal Migratory Pelagics (CMP), and Dolphin Wahoo Fishery Management Plans to address this issue.

Snapper Grouper Advisory Panel (SG AP) Comments

The Snapper Grouper AP discussed this issue at their October 2025 meeting. Commercial AP members viewed resolution of this issue as a high priority. The following comments were provided:

- A potential solution could be to have different “possession” vs “operating trip” limits; used in waterfowl contexts.
- With loss of waterfront/landing areas and trip limitations on the amount of fish that can be harvested/sold, fishermen need flexibility to be able operate and sell their catch efficiently. Some fishermen need to travel long distances to sell catch and get the best price possible.
- Clarify the definition of “sale”. In some contexts, money doesn’t transfer hands until after the catch is inspected by the dealer. For large harvests, fish are taken on consignment until they are inspected and priced.
- Day boats need to be able to drop fish off after hours and be able to turn back around quickly.
- If proper labeling/recording is applied, after-hours transactions should be fine.
- One member commented that “purchased or sold” may need to be removed from the codified text; should be applied as “landed”.
- For long-range fisheries (e.g., golden tilefish) there can also be difficulty accommodating the time necessary to transit back to shore and get fish onshore on the last day of a season. It should be clarified that if the boat is tied to the dock by 11:59 PM on the last open day of the season, fish should be able to be offloaded and sold after.

Law Enforcement Advisory Panel (LE AP) Comments

The LE AP discussed the issue at their January 2026 meeting and suggest acceptable forms of evidence to denote that an attempt to sell occurred. The LE AP offered the following:

- The best evidence that a trip limit was landed would be a trip ticket. It must 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 information to make any recommendations and agreed the issue is not a prevalent one.

Code of Federal Regulations Definitions

The Code of Federal Regulations (CFR) defines a **trip** as *a fishing trip, regardless of number of days duration, that begins with departure from a dock, berth, beach, seawall, or ramp and that terminates with return to a dock, berth, beach, seawall, or ramp*. This definition is the same for the three FMPs.

The three FMPs also use identical definitions of what a **commercial trip limit** entails: *Commercial trip limits are limits on the amount of the applicable species that may be possessed on board or landed, purchased, or sold from a vessel per day*.

The definition of **sale** in the CFR is the following: *the act or activity of transferring property for money or credit, trading, or bartering, or attempting to so transfer, trade, or barter*.

Council Guidance from September 2026

- Write a letter to NOAA OLE stating how the Council envisions the transaction of selling a daily trip limit. Include common practices and request feedback. Bring the letter to the Council in December for review and submit to NOAA Office of Law Enforcement before the Law Enforcement AP meets in January 2027.
- Move Action 10 from Snapper Grouper Amendment 60 (requirement to sell all commercial catch) to this amendment and request feedback from the AP on how to ensure commercial permits are being used for their intended purpose.

Action 10. Require sale of all snapper grouper caught on commercial trips

Purpose of Action: Improve commercial reporting accuracy and professionalize the commercial fleet.

Alternative 1 (No Action). Snapper grouper harvest from commercial trips is not required to be sold, but if sold, it must be sold to a permitted dealer.

Alternative 2. All snapper grouper harvest on commercial snapper grouper trips is required to be transferred to a permitted dealer. A commercial snapper grouper trip is a trip on which a vessel that holds either snapper grouper commercial permit (SG 1 or SG 2) either: 1) harvests any snapper grouper species in an amount that exceeds the recreational bag limit for that species, or 2) sells any amount of snapper grouper species that were harvested on that trip.

- Look into whether it can be required that all commercial species (for all the Council's fishery management plans) be accounted for on the dealer report with various dispositions.
- The Council expressed concern about a "use it or lose it" type of approach. Also, removal of the 2 for 1 requirement when Amendment 60 is implemented may result in more permits being used. Consider that some people may not be able to remain in the fishery and they shouldn't have to spend \$100K on a permit that they will eventually not be able to use.
- The Council wants to reduce speculation, for the permits to be used for the original intent, and professionalize the fishery.

Abbreviated Framework Procedures in SAFMC FMPs

Background

The Council has been looking for possible avenues to expedite making changes to trip limits and other management measures. Currently, trip and bag limit modifications can be made via a Framework Amendment. Such an amendment, also referred to as a Regulatory Amendment, is limited to pre-specified actions in the FMP.

An abbreviated framework can be completed in two Council meetings and involves a letter or short document addressed to the Regional Administrator containing the Council's recommendations for adjustments to a catch level along with the analysis to support the action. Abbreviated Framework Procedures are in place for the Snapper Grouper, Coastal Migratory Pelagics (CMP), and Dolphin Wahoo FMPs.

While the *abbreviated* framework procedure is a relatively fast process for implementing specific management changes, a framework amendment can also be developed and approved by the Council in a similar timeframe provided the same narrow scope of action is applied. In other words, under the current process, if the Council wanted to increase a bag limit of a species by one fish, for example, this could be accomplished in the same timeframe under either a "regular" or "abbreviated" framework, as long as the scope of the management change is narrow.

The Snapper Grouper and Dolphin Wahoo Abbreviated Framework Procedures can currently *only be used to adjust catch levels according to the existing ABC Control Rule(s) and formulas for specifying ACLs and ACTs* because these formulas have already undergone analysis and review.

The CMP FMP's framework procedure already includes changes to trip limits (not more than 10% of prior limit) and bag limits (not more than one fish).

Council Guidance from September 2026

Include measures that can be changed via an abbreviated framework in the Snapper Grouper and Dolphin Wahoo FMPs but remove prescriptive language (e.g., less than 10% of the previous trip limit). Make the same changes to the CMP FMP in Amendment 38 (joint amendment with the Gulf Council).

Proposed actions that could be accomplished via an abbreviated framework:

- Vessel trip limit changes
- Bag and possession limit changes
- Reporting and monitoring requirements
- Permitting requirements
- Gear marking requirements
- Vessel marking requirements
- Restrictions relating to maintaining fish in a specific condition (whole condition, filleting, use as bait, etc.)
- Size limit changes

- Closed seasons
- Restricted areas (seasonal or year-round)
- Re-specification of ACL, ACT or quotas that had been previously approved as part of a series of ACLs, ACTs or quotas
- Specification of MSY, OY, and associated management parameters (such as overfished and overfishing definitions) where new values are calculated based on previously approved specifications
- Gear restrictions, except those that result significant changes in the fishery, such as complete prohibitions on gear types
- Quota changes or retention of a portion of an annual quota in anticipation of future regulatory changes during the same fishing year
- Release gear requirements for sea turtles and other protected resources
- Handling requirements for sea turtles and other protected resources