

Amendment 46 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (Private Recreational Permitting and Education Requirement)

Discussion Document
November 2024

Note: Words that are [underlined and in blue font](#) provide a link to other documents.

Background

Amendment 46 to the Snapper Grouper Fishery Management Plan (FMP) was previously developed in the first half of 2018 and was approved for scoping at the June 2018 South Atlantic Fishery Management Council (Council) meeting. Due to time constraints over the Council's workplan and the need to obtain more information on potential approaches for private recreational data gathering, the amendment was never scoped. From 2018 through 2020 staff focused instead on piloting the [MyFishCount](#) mobile app and portal. Other related efforts have also taken place, notably the convening of the Joint Council Workgroup on Section 102 of the Modernizing Recreational Fisheries Management Act of 2018 (Modern Fish Act) and the Private Recreational Reporting Workgroup. Many of the members of this workgroup eventually became part of the current ad hoc Snapper Grouper Recreational Permitting and Reporting Advisory Panel (AP) that provide technical advice to the Council on permitting and data collection for Amendment 46.

The Council's 2016-2020 Vision Blueprint for the Snapper Grouper Fishery, previous amendments, and existing requirements

The 2016-2020 Vision Blueprint for the Snapper Grouper Fishery (Vision Blueprint) was approved in December 2015 and was intended to inform management of the Snapper Grouper fishery through 2020. The Vision Blueprint was also intended to serve as a "living document" to help guide future management, building on stakeholder input. The Vision Blueprint is organized into four strategic goal areas: (1) Science, (2) Management, (3) Communication, and (4) Governance. Each goal area has a set of objectives, strategies, and actions. The goals and objectives of the Vision Blueprint have been adopted into the Snapper Grouper FMP through implementation of Amendment 49. The actions in Amendment 46 correspond to different objectives and strategies in the Vision Blueprint.

Since the Council began development of the Vision Blueprint, fishermen have expressed concern with the estimates of recreational catch and effort resulting from the Marine Recreational Information Program (MRIP). Some stakeholders have requested that the Council explore a recreational stamp or permit for snapper grouper fishing. This recommendation has also been put forth by the Council's Snapper Grouper AP numerous times. Permits have been implemented for the commercial sector and for-hire component of the recreational sector for the snapper grouper, dolphin wahoo, and coastal migratory pelagic fisheries in part to improve estimates of effort or catch in the region. However, these federal permit requirements do not currently cover the private recreational component.

A state recreational saltwater fishing license is required for private recreational anglers in North Carolina, South Carolina, Georgia, and Florida. The 2007 Magnuson-Stevens Act Reauthorization contained a National Saltwater Angler Registry requirement and exempted states that collected adequate information from state licensed anglers. There have been other federal and state efforts to further refine information gathered on the private recreational component of the recreational sector, such as the [Atlantic Highly Migratory Species Angling Permit](#) and [Large Pelagics Survey](#) that covers highly migratory species in the Atlantic and the [Private Recreational Tilefish Permit](#) in the Mid-Atlantic and New England regions. The state of Florida has also developed the [State Reef Fish Survey](#) where anglers intending to fish for 13 species of snappers, groupers, jacks, triggerfish, or hogfish from a private vessel must obtain an State Reef Fish Angler designation.

Recent Council actions

Since work commenced again on the amendment in December 2022, the actions have undergone a series of reviews by several advisory panels. The summary reports and recommendations from these groups as well as previous efforts can be found on the Council's website under the following links:

- Joint Council Workgroup on Section 102 of the Modern Fish Act (click [HERE](#))
- Private Recreational Reporting Working Group recommendations (click [HERE](#))
- Snapper Grouper Recreational Permitting and Reporting Advisory Panel ([Meeting 1](#), [Meeting 2](#), [Meeting 3](#), [Meeting 4](#), [Meeting 5](#))
- Snapper Grouper AP ([Meeting 1](#), [Meeting 2](#))
- Outreach and Communications AP (click [Meeting 1](#) and [Meeting 2](#))
- Law Enforcement AP (click [HERE](#))

Given the specific nature of Amendment 46 that focuses on the private component of the recreational sector, the Council felt that it would be beneficial to gather input from the perspective of private anglers. As such, the Snapper Grouper Private Angler AP was appointed by the Council at the December 2023 meeting as an ad hoc AP. The AP includes members of the private angling community from all four states in the South Atlantic region. The intent of the AP is to provide guidance to the Council from the private angler perspective and help guide their decision making for Amendment 46.

At the initial meeting in May 2024, the AP reviewed the first two actions in the amendment but did not have time to discuss the education component and the exemption from the federal permit requirement in detail. The Council reviewed the AP’s recommendation at their June 2024 meeting but paused development of Amendment 46 for one meeting to have an in-depth discussion on upcoming changes to MRIP. As such, the amendment has not notably changed since the AP last reviewed it. At this meeting, the AP will review summary comments made so far and provide feedback on the remaining actions in the amendment.

Actions in this amendment

1. Establish a private recreational permit in the snapper grouper fishery
2. Specify the species that will be covered by the permit
3. Establish a required education component
4. Specify the timing of when the required education component needs to be completed
5. Establish an exemption to the federal private recreational snapper grouper permit requirement based on permitting by the states

Objectives for this meeting

- Gather feedback on Actions 3 through 5.
- Provide recommendations for the Council to consider as Amendment 46 continues to be developed.

Tentative amendment timing

✓December 2022	Council reviewed options paper and approved amendment for scoping.
✓Winter 2023	Conducted scoping.
✓March 2023	Council reviewed scoping comments and provided guidance on the amendment.
✓June 2023	Council reviewed amendment and Technical AP and Snapper Grouper AP comments.
✓September 2023	Council reviewed amendment and Technical AP comments.
✓December 2023	Council reviewed Snapper Grouper and Outreach and Communications AP comments, draft effects, and made modifications to the amendment.
✓March 2024	Council reviewed of amendment and Law Enforcement AP comments.
✓Spring 2024	Review by Private Angler AP and Permitting and Reporting AP.
✓June 2024	Council reviewed of amendment and AP comments.
December 2024	Council reviews amendment and AP comments.
March 2025	Council reviews modifications to the amendment, selects preferred alternatives, and approves for public hearings.
Spring 2025	Conduct public hearings.
June 2025	Council reviews amendment and public hearing comments.
September 2025	Council reviews final draft of amendment and considers approval for formal review.
2026/2027 (TBD)	Regulation changes effective.

Purpose and Need statements

The purpose of the amendment is to develop a recreational permitting system that will identify the universe of private anglers or vessels targeting South Atlantic snapper grouper species and will enhance the ability to collect recreational effort and catch data. Also work to promote best recreational fishing practices through education.

The need for the amendment is to improve the quality of effort and catch data for the private component of the recreational sector that targets South Atlantic snapper grouper species, while minimizing, to the extent practicable, adverse social and economic effects. Also improve education on best fishing practices.

Summary comments from the May 2024 AP meeting:

Purpose of a permit

- It is important to make sure that anglers understand the purpose of the permit and how it will be used.
- The Council should keep in mind what the vision for the future is after the permit is established.
 - Will there be a subsequent amendment geared towards data collection and reporting? If so, that will influence decisions made in this amendment.

Perceptions and messaging

- Many anglers have lost trust in the Council and NMFS.
 - Anglers may be willing to get a permit, but not as willing to provide additional data.
 - This permit is an opportunity to rebuild some of that trust. It is important to communicate how this permit could improve recreational fishing data and management.
- The permit is going to be viewed by some as an additional constraint on fishing.
 - Would be helpful to note that the Council is not considering reporting.
 - Clarify to the fishing public that this will be an open access permit.
 - Creation of a permit is in pursuit of better recreational effort and catch estimates that will hopefully contribute to the prevention of future access restrictions.
 - If there are not better estimates provided, the Council will be left with fewer options and may have to consider alternatives that include access restrictions.

Actions in the Amendment

Action 1. Establish a private recreational permit requirement in the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region

Purpose of the Action: This action is necessary to establish a private recreational permit requirement in the snapper grouper fishery and determine whether the permit will be issued to a vessel or an angler.

Alternative	Require a federal permit for:
Alternative 1 (No Action)	A federal permit is not required for a private angler or vessel when fishing for snapper grouper species in the South Atlantic region EEZ.
Alternative 2	All private vessels to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.
Preferred Alternative 3	All private anglers to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

Summary comments from the May 2024 AP meeting:

Action 1

- A vessel-based permit would be a better option than an angler-based permit.
 - If there is an angler-based permit, it may deter some people from participating.
 - Several anglers participate in the fishery infrequently and if they have an additional regulatory burden, they may be deterred from participating all together.
- Anglers may not be as experienced in fishing and fish ID as vessel owners.
 - There’s additional responsibility that comes with being in charge of operating a vessel.
 - A vessel-based permit would improve any subsequent sampling or data collection.
 - A vessel-based permit makes more sense if there is not a reporting requirement.
- A vessel-based permit would be easier to enforce on the water or at the boat ramp.
 - There would be only one permit to check versus multiple permits if angler-based.
- Satisfying the permit requirements should be the responsibility of the vessel operator.
 - It is preferable if the captain of the vessel is responsible for the education requirement and can better direct anglers onboard.

Rental and boat club vessel topic

- Boat club vessels are not likely a major concern.
 - Boat club vessel operators must be certified and there are often restrictions on how far offshore they can go.
 - Not accountable for a notable portion of participation in the snapper grouper fishery off North Carolina, South Carolina, or Northern Florida.
- There are more and more rental boat companies out there and some have boats that are fishing for snapper grouper species in federal and state waters.
 - In some scenarios it may be unclear who is responsible for getting the permit.

Action 2. Specify the species for which a private recreational snapper grouper permit would be required

Purpose of the Action: This action would specify the species that would be covered by a private recreational permit requirement in the snapper grouper fishery.

Alternative	A federal private recreational permit would be required when fishing for, harvesting, or possessing the following species in the South Atlantic EEZ:
Alternative 1 (No Action)	A federal permit is not required and no species are covered.
Preferred Alternative 2	Any species in the snapper grouper fishery management unit.
Alternative 3	Any species that is also <u>covered by the Florida State Reef Fish Survey.</u>
Alternative 4	Any deepwater species in the snapper grouper fishery management unit.

Table 1. Species found within the snapper grouper fishery management unit.

Species	FL SRFS	DW Species	Species	FL SRFS	DW Species
Black grouper	X		Cottonwick		
Gag	X		Cubera snapper		
Greater amberjack	X		Goliath grouper		
Hogfish	X		Gray snapper		
Mutton snapper	X		Graysby		
Red grouper	X		Jolthead porgy		
Red snapper	X		Knobbed porgy		
Vermilion snapper	X		Lane snapper		
Yellowtail snapper	X		Longspine porgy		
Banded rudderfish	X		Margate		
Lesser amberjack	X		Nassau grouper		
Gray triggerfish	X		Ocean triggerfish		
Almaco jack	X		Red hind		
Yellowedge grouper		X	Red porgy		
Silk snapper		X	Rock hind		
Misty grouper		X	Rock sea bass		
Sand tilefish		X	Sailor's choice		
Queen snapper		X	Saucereye porgy		
Blackfin snapper		X	Scamp		
Blueline tilefish		X	Scup		
Golden tilefish		X	Speckled hind		
Snowy grouper		X	Tomtate		

Wreckfish		X	Warsaw grouper		
Atlantic spadefish			White grunt		
Bank sea bass			Whitebone porgy		
Bar Jack			Yellowfin grouper		
Black sea bass			Yellowmouth grouper		
Coney					

*FL SRFS = species is covered by the Florida State Reef Fish Survey.

*DW Species = species is part of the deepwater complex or a species typically found in deepwater.

Summary comments from the May 2024 AP meeting:

- It is an unnecessary burden on anglers to have to identify a subset of species that are covered by the permit.
 - Also if reporting eventually follows, it would be preferable to have the permit cover all species to facilitate reporting.
- The number of species covered is likely to affect estimates of participation.
 - The species covered could influence the universe of anglers and how well they represent actual participants in the fishery.
 - If the Council stays with all 55 snapper grouper species, consider implications for the Florida Reef Fish Survey.
 - Would Florida have to expand their program to cover all 55 species to allow the state to opt out of the federal permit requirement?
- Including all snapper grouper species is a big ask.
 - Many in the recreational fishing community may be skeptical.
 - Perceive NOAA and the Council as picking away at species that can no longer be harvested or have severe restrictions on harvest.
- A concern with including all SG species is that some species may be caught incidentally.
 - Example: Greater Amberjack are caught at times when trolling for highly migratory species.
 - May be requiring people to get a permit that do not participate in the snapper grouper fishery but incidentally interact with some of the species.
 - May affect your ability to measure the “true” number of participants in the fishery.
 - What is the Council’s goal? Is it to count the number of people who are *targeting* snapper grouper species or people who are *catching* the species.
 - Also is the intent to eventually require people to report?

Action 3. Establish an education component in conjunction with a private recreational snapper grouper permit

Purpose of the Action: This action is necessary to require an education component for private recreational permit holders. The action also clarifies whether the implementation of the required education component would be delayed from the implementation of the private recreational permit.

Alternative	Establish and require an education component in conjunction with a private recreational snapper grouper permit. The education component would be:
Alternative 1 (No Action)	Not required.
Alternative 2	<u>Required before initial issuance</u> of a private recreational permit.
Alternative 3; Sub-Alternative 3a	<u>Implemented after</u> the private recreational permit requirement has been established. Completion of the education component would be required <u>before initial reissuance of the permit.</u>
Alternative 3; Sub-Alternative 3b	<u>Implemented after</u> the private recreational permit requirement has been established. Completion of the education component would be required <u>when permit holders are required to complete the education component by the issuing permit authority.</u>

Action 4. Specify the timing of the education component requirement for the private recreational snapper grouper permit

Purpose of the Action: This action is necessary to establish how often an education component would need to be completed.

Alternative	Completion of the education component would be required:
Alternative 1 (No Action)	Not required.
Alternative 2	<u>Upon each issuance</u> of a private recreational snapper grouper permit.
Alternative 3	<u>Every other year</u> upon issuance of a private recreational snapper grouper permit.
Alternative 4	<u>One time upon initial issuance</u> of a private recreational snapper grouper permit.
Alternative 5	<u>Upon initial issuance</u> of a private recreational snapper grouper permit <u>and each time education component materials are updated.</u>

Discussion:

- At the March 2024 meeting, the Council held a discussion of the general contents of education materials. The Council indicated wanting to avoid education materials that directly reference regulations that may be subject to regular change. The general contents of education materials may include:

- Species ID
- Species in the Snapper Grouper FMU
- Best fishing practices
- MPA and SMZs locations and regulations
- Basic regulations
 - Descending device “rigged and ready” requirement
- How to properly measure a fish
- Resources to know regulations
- How to get involved
- Technical problem troubleshooting
- If reporting is added in the future: How to use app or reporting mechanism. How to record information and report properly.

Other AP Comments and Recommendations:

- **The Permitting and Reporting AP:**
 - An education requirement or certification may not be necessary or required on an annual basis, thus such a requirement would not be an adequate substitute for a permit.
 - An education requirement would pair well with a permit, potentially in the initial issuance or renewal process.
 - If a permit is vessel-based, the details need to be specified regarding who must obtain the education certificate. Vessel owner? Vessel operator? Other?
- **The Snapper Grouper AP** noted strong support for establishing an education requirement as soon as possible. Development of the requirement should get underway soon, as the education materials need to be streamlined and working when the permit requirement goes into place.
- **The Law Enforcement AP** noted that an education requirement should apply when the permit is issued rather than a delayed implementation.
 - Ideally each angler would need to take the education module, but if vessel-based it is still enforceable.
- **The Outreach and Communications AP:**
RECOMMENDATION: An online course should be developed (suggestions included 3-5 minutes, 7-10 minutes, up to 15 minutes) for the initial permit and a shorter online course for annual permit renewal.
 - The AP strongly supported building in benchmarks for the course rather than a quiz at the end. Little support for “pass/fail” approaches.
 - Any approach should meet the goals for the education course.
 - Module should not allow ability to skip questions or sections.
 - Users should have the ability to retake sections of the education module.
 - Consider those with learning disabilities. Particularly if a test is involved (ADA requirements).
 - Have module available in other languages.
 - Include background information on why the permit is required and how the information will be used in fisheries management.

- Different online platforms can be tailored for the online module. Consider if the program goals are being addressed based on the platform chosen and materials covered.
- Evaluation is essential.
 - Consider an evaluation component after a certain amount of time (e.g., 2 years).
- Annual permit renewal reminders will be needed that include information on the education requirements.

List of Topics for the Educational Component

- General agreement that the draft list of topics identified at the March 2024 Council meeting is too ambitious considering the length of time suggested for an online module.
 - Consider removing Fish ID and How to Measure a Fish.
 - Have a downloadable component for these topics or link to other sources.
 - Consider a reference booklet mailed to those completing the test to keep on the boat.
 - Focus on barotrauma and regulations in place to help released fish survive.
 - Remind fishermen that not all SG species need a descending device or to be vented when caught (i.e. certain species and when fishing in shallow water). Include information to help fishermen recognize the signs of barotrauma because not all fish may need treatment.
- Have information available in an engaging way with video and graphics.
 - Use a “story” approach to convey concepts, e.g., a fishing trip.
- Include information on how recreational fishing pressure can impact stocks.
- Strong support to involve AP, state partners, Sea Grant, and other agencies in developing the education module.

AP Discussion Questions:

- 1) Does the AP have comments on the list of topics that may be covered?
 - a. What topics or content does the AP feel would be most important for educating anglers?
- 2) If an education course is developed, what is the optimal length of time for a course?
- 3) Does the AP have a recommendation for the Council to consider on **Action 3** or **Action 4**?

Action 5. Establish an exemption to the federal private recreational snapper grouper permit requirement based on permitting by the states

Purpose of the Action: This action would establish a mechanism that would exempt a state from the federal private recreational snapper grouper permit requirement provided that similar measures were enacted for a state-based permit.

Alternative	Establish an exemption to the federal private recreational snapper grouper permit requirement. The National Marine Fisheries Service would certify a state permit as equivalent to a federal private recreational snapper grouper permit provided the state permit is:
Alternative 1 (No Action)	Do not establish an exemption to the federal private recreational snapper grouper permit requirement.
Alternative 2; Sub-alternative 2a	<u>Required for the same entity</u> as the federal permit. (<i>as selected in Action 1</i>).
Alternative 2; Sub-alternative 2b	<u>Required for the same snapper grouper species</u> as the federal permit (<i>as selected in Action 2</i>).
Alternative 2; Sub-alternative 2c	<u>Would remain valid for the same period of time</u> as the federal permit (<i>annual renewal</i>).
Alternative 2; Sub-alternative 2d	<u>Would have the same education requirement</u> as the federal permit (<i>as selected in Actions 3&4</i>).

Other AP Comments and Recommendations:

- The **Permitting and Reporting AP:**
 - There are no compatibility concerns since there is only a permitting requirement being considered without reporting and any permit would cover the Exclusive Economic Zone (EEZ).
 - The criteria for the state-based permits need to match the federal criteria.
 - Having some states rely on the federal permit while others develop a state-based equivalent permit would create a potential issue if mandatory reporting is implemented in the future.
- The AP recommends **Alternative 2, Sub-alternatives 2a, 2b, 2c, and 2d in Action 5.**
- The **Snapper Grouper AP:**
 - Funding is going to be an issue for states. It would be beneficial for the states to receive federal funding in support of a state-issued private recreational snapper grouper permit.
 - What would a federal permit requirement look like in the state of Florida given the existing State Reef Fish Angler designation? If the federal requirements do not align with the current state requirements, would anglers still need to get both a federal and state permit?
- The **Law Enforcement AP:**
 - Possible issues with vessels landing in different states so it would be better to have one permit for the EEZ.

- What happens in the EEZ is going to be difficult to verify at the state level (i.e., a vessel or angler departing from one state but fishing in the EEZ off an adjacent state or a vessel from a state that has a federal permit exemption launching in a state without an exemption), so a single permit would be much easier to enforce.
 - While a single permit is preferred, law enforcement officers are already looking for state and federal permits where applicable.
- The **Outreach and Communications AP**:
 - General support for a single universal education module and requirement.
 - Important to have a standard education module that states could use. A state could add information separately if needed but the core materials would be the same between the federal and state programs.

Summary comments from the May 2024 AP meeting:

- If a permit requirement is established, it will likely remain indefinitely.
 - It would be preferable if the permit could be an endorsement on the existing saltwater fishing license rather than requiring anglers to obtain a separate permit.
 - This would help make it as non-invasive and unrestrictive as possible.
- It would be easier for anglers if state agencies administered the permit.
 - States already have apps and saltwater licensing infrastructure that anglers are used to, so it would make compliance much easier.

AP Discussion Questions:

- 1) Are there other state exemption related considerations that the AP would like to bring to the Council's attention?
- 2) Does the AP have a recommendation for the Council to consider on **Action 5**?