

Amendment 46 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region

Decision Document
September 2023

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 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 been underway, notably the convening of the Joint Council Workgroup on Section 102 of the Modernizing Recreational Fisheries Management Act of 2018 (Modern Fish Act), the Private Recreational Reporting Workgroup (workgroup), and subsequently the Snapper Grouper Recreational Permitting and Reporting AP (AP). The summary reports and recommendations from these groups 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](#))
- Private Recreational Permitting AP ([Meeting 1](#), [Meeting 2](#), and [Meeting 3](#))

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 potential 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 resulting from the Marine Recreational Information Program (MRIP). Stakeholders have been requesting 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 Advisory Panel numerous times. Permits have been implemented for the federal for-hire component of the recreational sector and the commercial sector for the Snapper Grouper, Dolphin Wahoo, and Coastal Migratory Pelagic fisheries in part to improve estimates of effort or catch in the South Atlantic region. However, these requirements do not cover the private recreational component.

Currently, a coastal recreational fishing license, issued through the states, is required for private recreational anglers as part of the 2007 Magnuson-Stevens Fishery Conservation and Management Act Reauthorization to improve estimates of catch and effort. 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 in 2022 and 2023

At their March 2022 meeting, the Council reviewed background information, recommendations from the workgroup, and directed staff to assemble candidates for an ad hoc AP to be selected in June 2022. The Council then reviewed recommendations from the first meeting of the AP at its September 2022 meeting. At the December 2022 meeting, the Council narrowed the scope of the amendment to focus on development of a permit for the private component of the recreational sector and creation of an education component. Additionally, the Council approved the amendment for scoping which was held in January and February 2023. The Council further refined options within the amendment at their March and June 2023 meetings.

Private recreational reporting was removed from further consideration in Amendment 46 at the December 2022 meeting. While reporting may be considered in a different amendment, the Council expressed interest in timely implementation of Amendment 46 as well as the notable potential benefits of implementing a permit which may include better identifying the universe of private anglers or vessels targeting snapper grouper species and enhancing the ability to collect recreational effort and catch data within existing programs such as the Marine Recreational Information Program (MRIP).

Actions in this amendment

- Permit related actions (Actions 1 through 4)
 1. Establish a private recreational permit in the snapper grouper fishery
 2. Specify the species that will be covered
 3. Specify the length of time that a permit will remain valid
 4. Establish a mechanism for states to opt out of federal permit requirement
- Education component related actions (Actions 5 through 8)
 6. Establish an education component
 7. Specify whether the component will be mandatory or voluntary
 8. Specify the timing of implementation
 9. Specify the length of time that an education component will remain valid

Objectives for this meeting

- Review AP feedback and recommendations.
- Review IPT feedback and recommendations.
- Keeping in mind upcoming preparations for a public hearing document, provide guidance on actions and alternatives for further development in the amendment.

Tentative amendment timing

✓ December 2022	Reviewed options paper and approved amendment for scoping.
✓ Winter 2023	Conducted scoping.
✓ March 2023	Review scoping comments and provide guidance on the amendment.
✓ April/May 2023	Gather initial feedback from the Permit and Reporting AP and Snapper Grouper AP.
✓ June 2023	Review amendment and AP comments.
✓ August 15, 2023	Permit and Reporting AP meeting
September 2023	Review amendment and preliminary analyses
December 2023	Review modifications to the amendment, select preferred alternatives, and approve for public hearings.
Winter 2023/24	Conduct public hearings. Gather detailed feedback from the APs.
March 2024	Review amendment, public hearing comments, and AP comments.
June 2024	Review final draft of amendment and consider approval for formal review.
2025/2026 (TBD)	Regulation changes effective.

Purpose and Need statements

The *purpose* of the amendment is to develop a recreational permitting system that will to better 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.

IPT Comments:

- The new wording highlighted in **yellow** is suggested to help with the structure purpose statement.
- At the June 2023 meeting, the Council changed “would” to “will” in the purpose statement. The Council is within its bounds to maintain the wording of the purpose as it currently stands, however, the IPT felt that use of “will” may be suboptimal.
 - A permit will not result in better data unless MRIP uses the new database to make changes to the sampling design. That action has not taken place, so alternative wording is proposed and highlighted in **green**.

Committee Action:

- CONSIDER THE SUGGESTED IPT EDITS TO THE PURPOSE.
- REVIEW THE PURPOSE AND NEED STATEMENTS AND DISCUSS IF ANY CHANGES ARE NECESSARY.

Actions in the Amendment

Permit-related actions (Actions 1-4)

Action 1. Establish a private recreational snapper grouper permit to fish for, harvest, or possess snapper grouper species in 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 angler.

Alternative 1 (No Action). A federal permit is not required for a private vessel or private angler when fishing for, harvesting, or possessing snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 2. Require a federal permit for all vessels participating in the private recreational component of the snapper grouper fishery in the South Atlantic exclusive economic zone.

Alternative 3. Require a federal permit for all private anglers participating in the private recreational component of the snapper grouper fishery in the South Atlantic exclusive economic zone.

AP Comments and Recommendations:

The following feedback and recommendations were provided by the Snapper Grouper Recreational Permitting and Reporting AP at their August 2023 meeting:

Integration into the MRIP survey and sampling framework

- The AP reiterated support for a consistent approach to permitting throughout the region to maximize the utility of a private recreational permit.
- Either an angler or vessel based permit can be integrated into the existing or potential new sampling and survey framework within the Marine Recreational Information Program (MRIP).
 - There is not much difference in the level of improvements that would occur between the two permit types. Both permit types offer a structure level gain in the precision of estimates. From there, additional design changes would determine whether one permit type is better than the other.
 - A vessel based permit does not create an impediment since MRIP utilizes a household based sampling framework. As long as address information is included in the permit information, either type of permit can be utilized.
- There are net advantages for a vessel based permit over an angler based permit.
 - Whether using the existing MRIP Access Point Angler Intercept Survey (APAIS) or a potential new sampling framework, the vessel ID is readily available to identify the permit holder.
 - Easy to identify for the field sampler and easier for permit holder since each angler would not need to be asked for additional documentation (i.e. their permit information).
 - This could also be a touchy subject for both the sampler and the angler if the angler is not permitted but should be according to the requirement.
 - If a census level reporting approach for some species were to be implemented in the future, a vessel based permit would be better.
- If a private recreational snapper grouper permit is implemented, consider a “hybrid approach” to create a new sampling framework.
 - While not within the Council’s set of responsibilities but related to the Council’s implementation of a permit, MRIP and states could work together to develop a standalone effort survey that focuses specifically on snapper grouper species that is integrated into APAIS.
 - A vessel based permit would make this approach more feasible and easier to implement.

Compatibility with existing state efforts

- A federal permit requirement would not be prohibitive to the existing Florida State Reef Fish Survey (SRFS) efforts.
 - Although the FL State Reef Fish Angler designation is angler based, it is required for private anglers or divers fishing from a private vessel.
 - A vessel based permit would not be an impediment to SRFS.

Potential funding options

- The Inflation Reduction Act (IRA) has provided a notable amount of additional multi-year funding to NOAA Fisheries.
- IRA funding could be used over the next several years to support the development of a private recreational permitting system and snapper grouper-focused sampling framework.

- These funds could be used to “bridge the gap” between developing the permitting program and securing re-occurring funds to maintain the program in the long-term.
- Development of some revised reef fish sampling efforts on the Gulf coast were initially supported by funds from the Deepwater Horizon oil spill that bridged the gap between development and long-term implementation.
- Funding is an important aspect of developing a permitting system. The AP suggests that the Council consider recommending that NOAA Fisheries use IRA funds to support the development of a private recreational permitting system.

Likelihood of permit use by MRIP

- The permit will be used by MRIP and integrated into the existing framework. However, it is important to be mindful of expectations.
- As soon as the permit information is available, it can be used to supplement the Fishing Effort Survey (FES) framework to better stratify sampling.
- Supplementary use of the permit to increase its utility, including further improvements to the precision and accuracy of recreational data estimates, would be determined by additional efforts towards sampling revisions or new programs that could be developed. These potential efforts would be dependent on the resources (funding and staffing) that are made available.
- Creating the permit creates the option to make such improvements.

Additional comments

- There is some concern over enforcement of a permit requirement. Proper enforcement will be important to maximize the utility of a permit.
- The AP expressed interest in potential integration of state waters into future permitting and sampling efforts. This will depend on the development of a future “hybrid” approach to sampling as well as state interest in integrating a snapper grouper permit that would cover state waters.

Recommendation on Action 1

- When weighing benefits and drawbacks of each permit type, “on net” a vessel-based permit is preferable.
- The AP recommends **Alternative 2 in Action 1.**

The following feedback and recommendations were provided by the Snapper Grouper AP at their April 2023 meeting:

MOTION: THE SNAPPER GROUPE AP RECOMMENDS A VESSEL-BASED RATHER THAN AN INDIVIDUAL ANGLER-BASED PERMIT BE REQUIRED FOR THE PRIVATE COMPONENT OF THE RECREATIONAL SECTOR IN AMENDMENT 46.

APPROVED BY AP (UNANIMOUS)

ADDITIONAL CONTEXT FOR MOTION:

RECOMMEND ALTERNATIVE 2 IN ACTION 1.

General Comments:

- A vessel-based permit would help identify the universe of participants and is consistent with existing federal permits issued in the Southeast.

- The vessel owner is typically the one taking people out fishing and the responsible party for the trip.
- The logistics of implementing a vessel based permit program would likely be easier than an angler-based permit due to fewer permits that would need to be issued.

IPT Comments:

- Vessel based permit could create a challenge with rental/boat clubs permitting their vessels for snapper grouper fishing since the permittee (rental boat owner) would not be the one fishing on the vessel.
- Angler based permit may be tough for some anglers (perhaps from out of town) that are just fishing for a day or short period of time.
 - Will they be able to get it on short-notice?

Committee Action:

- CONSIDER AP INPUT AND IPT COMMENTS.
- PROVIDE GUIDANCE ON THE ACTION AND ALTERNATIVES TO FURTHER DEVELOP.

Action 2. Specify the species that would be covered by a private recreational snapper grouper permit

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 1 (No Action). A federal permit is not required for a private angler or private vessel when fishing for, harvesting, or possessing snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 2. A federal private recreational snapper grouper permit would be required when fishing for, harvesting, or possessing any species in the snapper grouper fishery management unit.

Alternative 3. A federal private recreational snapper grouper permit would be required when fishing for, harvesting, or possessing any assessed species in the snapper grouper fishery management unit for which recreational harvest is allowed.

Alternative 4. A federal private recreational snapper grouper permit would be required when fishing for, harvesting, or possessing any species that is covered by the Florida State Reef Fish Survey.

Alternative 5. A federal private recreational snapper grouper permit would be required when fishing for, harvesting, or possessing any species in the deepwater complex.

Alternative 6. A federal private recreational snapper grouper permit would be required when fishing for, harvesting, or possessing any species with a size or bag limit.

Discussion:

- The Committee has the option to select multiple alternatives as preferred to capture different groups of species.
- **Alternatives 2 through 6** address the species would be covered by the permit (**Table 3**).
 - **Alternative 2** would cover all snapper grouper species found within the management unit (55 species).
 - **Alternative 3** would cover the currently assessed species for which harvest is allowed (17 species).
 - **Alternative 4** would cover the species that fall under the Florida State Reef Fish Angler Designation (13 species).
 - **Alternative 5** would cover species in the deepwater complex (6 species).
 - **Alternative 6** would cover species that have a size or bag limit (45 species).

Table 3. Species found within the snapper grouper fishery management unit.

Species	Assessed	FL SRFS	DW	Size or Bag	Species	Assessed	FL SRFS	DW	Size or Bag
Black grouper	X	X		X	Misty grouper			X	X
Black sea bass	X			X	Sand tilefish			X	X
Blueline tilefish	X			X	Queen snapper			X	X
Gag	X	X		X	Blackfin snapper			X	X
Golden tilefish	X			X	Gray snapper				X
Greater amberjack	X	X		X	Lane snapper				X
Hogfish	X	X		X	Cubera snapper				X
Mutton snapper	X	X		X	White grunt				X
Red grouper	X	X		X	Sailor's choice				X
Red porgy	X			X	Margate				X
Red snapper	X	X		X	Atlantic spadefish				X
Snowy grouper	X			X	Bar Jack				X
Vermilion snapper	X	X		X	Jolthead porgy				X
Wreckfish	X			X	Knobbed porgy				X
Yellowtail snapper	X	X		X	Saucereye porgy				X
Scamp	X			X	Scup				X
Yellowmouth grouper	X			X	Whitebone porgy				X
Banded rudderfish		X		X	Speckled hind				
Lesser amberjack		X		X	Warsaw grouper				
Gray triggerfish		X		X	Goliath grouper				
Almaco jack		X		X	Nassau grouper				
Rock hind				X	Cottonwick				
Red hind				X	Ocean triggerfish				
Yellowfin grouper				X	Longspine porgy				
Coney				X	Rock sea bass				
Graysby				X	Bank sea bass				
Yellowedge grouper			X	X	Tomtate				
Silk snapper			X	X					

Assessed = species is assessed and recreational harvest in the EEZ is currently allowed for at least part of the year.

FLSRFS = species is covered by the Florida State Reef Fish Survey.

DW = species is part of the deepwater complex.

Size or Bag = species is open to harvest for at least part of the year and has a size or bag limit. This includes species that are part of an aggregate limit.

AP Comments and Recommendations:

The following feedback and recommendations were provided by the Snapper Grouper Recreational Permitting and Reporting AP at their August 2023 meeting:

Compatibility with existing state efforts

- Florida SRFS efforts will not be compromised as long as all of the SRFS species are also covered by the federal permit. Including additional species would not be problematic.

- It was noted that the species originally covered by SRFS needed to be expanded after initial implementation, which caused some challenges.
 - Requires special treatment of baseline data for the new species that were not originally covered.

Species covered by the permit in relation to subsequent survey and sampling efforts

- Since reporting is no longer being considered, there is little downside to being more inclusive of species.
 - Being more inclusive of species increases the utility of the permit and the potential options that may be pursued in the future.
 - Also aligns with the AP’s task and the Atlantic Coastal Cooperative Statistics Program’s “all species” approach to data collection.
 - Covering more species than may be used in subsequent targeted sampling efforts is not particularly problematic.
- There are some downsides to being less inclusive of species.
 - Narrows the utility of the permit.
 - It is difficult to add new species. The AP does not recommend starting with a smaller list with the intent of expanding in the future.

Recommendation on Action 2

- The AP recommends **Alternative 2** in **Action 2**. There is little to no downside of being more inclusive of species but there is a cost if more species need to be added. Suggest initially capturing all species that may be needed currently and in the future.

The following feedback and recommendations were provided by the Snapper Grouper AP at their April 2023 meeting:

MOTION: RECOMMEND THAT THE COUNCIL SELECTS ALTERNATIVE 2 (ALL SPECIES WITHIN THE SNAPPER GROUPE COMPLEX).

APPROVED BY AP (UNANIMOUS)

General Comments:

- While it could help to match the Florida SRFS species for consistency, some important snapper grouper species are not included in that list so it would be advisable to go with all species within the complex to be comprehensive regionally.
- Choosing all species in the snapper grouper complex could make it easier for permit holders to comply with the permit requirement since they would not need to remember which of the species fall under the permit and which ones do not.

IPT Comments:

- **Alternatives 3-6** that cover a subset of species may make it more difficult for both law enforcement and anglers to keep up with the permit requirement.
 - Is there additional rationale for including these alternatives and does the Council want to keep all of the alternatives?
- If **Alternative 3** is selected, the Council may need to continue amending the list as species are assessed (i.e., recently with scamp and yellowmouth grouper), if there are complications

with an assessed species (i.e., an assessment gets rejected indefinitely), or if there is a new harvest prohibition on an assessed species.

- A static species list would benefit long-term enforcement, ease of anglers understanding the permit requirement, and decrease future regulatory burden for the Council, NMFS, and constituents.
- Consider the applicability of the Florida SRFS species (**Alternative 4**) to the whole South Atlantic region.
 - The list of species may work well for most of Florida but leaves out several noteworthy species in the South Atlantic region such as the deepwater species where there are known data deficiencies and black sea bass which supports important fisheries in the region.
- Consider future need for permitting based on species' distribution changes in a warming climate.

Committee Action:

- CONSIDER AP INPUT AND IPT COMMENTS.
- PROVIDE GUIDANCE ON THE ACTION AND RANGE OF ALTERNATIVES TO FURTHER DEVELOP.

Action 3. Specify the effective term of a private recreational snapper grouper permit

Purpose of the Action: This action is necessary to specify the length of time that a private recreational snapper grouper permit would remain valid.

Alternative 1 (No Action). A federal permit is not required for a private angler or private vessel when fishing for, harvesting, or possessing snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 2. A federal private recreational snapper grouper permit would remain valid for the calendar year that it was issued.

Alternative 3. A federal private recreational snapper grouper permit would remain valid for one year from issuance.

Alternative 4. A federal private recreational snapper grouper permit would expire on the date of birth for the permit holder.

Discussion:

- The Council may want to specify the length of time that a permit would remain valid.
- Since the private recreational permit will be open access, it would not be numbered or carried over after it expires. As such, the amount of time that a permit would remain valid is discussed rather than a “renewal” term.

AP Comments and Recommendations:

The following feedback and recommendations were provided by the Snapper Grouper Recreational Permitting and Reporting AP August 2023 meeting:

General comments

- In Georgia, the saltwater angler designation was originally valid for the calendar year in which it was issued. This was unpopular among anglers and the preference was for the designation to remain valid for one year from issuance. The designation was later changed to match this preference.
- **Alternative 3** (valid for one year from issuance) is consistent with the Large Pelagics Survey. Allowing a rolling renewal does no harm and adds value by increasing the timeliness of the permit holder information.

Recommendation on Action 3

- Although it was noted that the action may be removed from the amendment, the AP offered general support for **Alternative 3** in **Action 3** for consideration by the Council if the action were to remain in the amendment or for NOAA Fisheries if the decision is deferred to the agency.

IPT Comments:

- While this action was an IPT recommendation at the June 2023 meeting, the IPT has further discussed it and feels as though the action is not required.
- A private recreational permit will create a high administrative burden if NMFS needs to process what is likely to be tens or hundreds of thousands of permits on the same date. Having a staggered expiration date for permits where permits expire on different dates would likely ease this burden.
- It would be preferable if this was a NMFS decision point. NMFS would benefit from flexibility to figure out the effective term, but the basis would likely be annual.
- **The IPT recommends that the Council consider removing this action and discussing an annual effective term in Action 1.**

Committee Action:

- CONSIDER AP INPUT AND IPT RECOMMENDATION.
- PROVIDE GUIDANCE ON WHETHER TO KEEP **ACTION 3** IN AMENDMENT 46.

Action 4. Establish a mechanism that would allow a state to opt out of a federal private recreational snapper grouper permit to fish for, harvest, or possess snapper grouper species in the South Atlantic region

Purpose of the Action: This action would establish a mechanism that would allow a state to opt out of the federal private recreational snapper grouper permit requirement.

Alternative 1 (No Action). A federal permit is not required for a private angler or private vessel when fishing for, harvesting, or possessing snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 2. A state could opt out of a federal private recreational snapper grouper permit requirement provided that the state implements equivalent measures that at a minimum includes the following:

Sub-alternative 2a. The same entities from the federal permit requirement.

Sub-alternative 2b. The same snapper grouper species from the federal permit requirement.

Sub-alternative 2c. The state permit would remain valid for the same period of time as the federal permit requirement.

Discussion:

- Congress specifically allowed a state exemption (i.e. opt out) under the recreational fisheries registry program under MSA section 401(g) (National Saltwater Angler Registry). That kind of exemption is not contained under the MSA section that the Council would use to require a recreational fishing permit (MSA section 303(b)). The MSA allows the Council to require a permit for a fishery that the Council manages, and in part requires the "permit to be obtained from, and fees paid to, the Secretary...." (MSA 303(b)(1)).
- The Council will need to further discuss the exemption and how it should operate to help clarify whether the Council has the authority to move forward. The following questions could be addressed to provide this additional information:
 - How would a state issued permit fit within this requirement? How would a state permit system be equivalent to a federal permit?
 - For example, could Florida issue this permit and it would allow the permitted entity to fish in federal waters only off of Florida?
 - What about jurisdictional issues: What if that permitted entity fishes off Georgia, or would that even be necessary? Would they be covered?

AP Comments and Recommendations:

The following feedback and recommendations were provided by the Snapper Grouper Recreational Permitting and Reporting AP at their August 2023 meeting:

Compatibility across the region

- 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.

- Need to maintain a common design, ideally across all ocean areas.
- Even if some states rely on the federal permit while others create their own permit, the common design will allow comparability of estimates across the EEZ since this area will be covered by all permits.
- Other options where the state and federal requirements are not in alignment may create the need for additional calibrations.
- 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.
 - If mandatory reporting program is ever implemented, then there would not likely be compatibility issues if the focus is only on the EEZ.
 - If the focus is on the EEZ and state waters, then there could be some issue with compatibility of data between states and across the region.

Recommendation on Action 4

- The AP recommends **Alternative 2, Sub-alternatives 2a, 2b, and 2c in Action 4.**

IPT Comments:

- To help develop the amendment document, could the Council review the rationale for creating a system that would allow a state to opt out of the federal permit requirement?
 - Is it to reduce the regulatory burden on state anglers?
 - What is the goal of creating an opt out option?
- Allowing an opt out option may be contrary to purpose and need. Would need to make sure that the federal permit requirements are adopted by the states.
 - If allowed, some states may need to change licensing program. Also would need to set timeframe for when permit data would be made available to MRIP.
- There is some precedent for requiring duplicate permitting for the same purpose. For example the for-hire permit permitting process (i.e., both state and federal permitting requirements).

Committee Action:

- CONSIDER AP INPUT AND IPT COMMENTS.
- PROVIDE GUIDANCE ON THE RANGE OF ALTERNATIVES TO FURTHER DEVELOP.

Education component-related actions (Actions 5-8)

Action 5. Establish an education component for the private recreational portion of the snapper grouper fishery

Purpose of the Action: This action is necessary to establish an education component for private recreational anglers or vessels fishing for or targeting snapper grouper species in the South Atlantic region.

Alternative 1 (No Action). There is not a required education component for private recreational anglers to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 2. Establish an education component requirement, in conjunction with a private recreational snapper grouper permit, for private recreational anglers who fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

AP Comments and Recommendations:

The following feedback and recommendations were provided by the Snapper Grouper Recreational Permitting and Reporting AP at their August 202 meeting. This guidance was reiterated at their May 2023 meeting:

- *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.*
 - There would still need some readily available way to identify anglers in the field that took the education training. For both compliance and validation as well as sampling purposes.
- There are many other opportunities to learn best fishing practices.
 - People signing up for permit may already have best fishing practices in place or are knowledgeable of such practices.
- *An education requirement would pair well with a permit, potentially in the initial issuance or renewal process.*
 - Such a requirement would provide an opportunity to educate anglers on best fishing practices, what species are within SG complex, species ID, descending devices, etc.
 - Education could include information on why the permit exists and importance of data collection.
 - An education requirement could help deter oversubscription.
 - If a permit is vessel based, the details need to be specified regarding who must obtain the education certificate.
 - Vessel owner? Vessel operator? At least one person onboard a permitted vessel?

The following feedback and recommendations were provided by the Snapper Grouper AP at their April 2023 meeting:

Recommendations:

- Strong support for developing an education component as soon as possible.

General Comments:

- The education requirement could be modeled along the lines of what HMS requires for sharks.
- In the education materials, include links to encourage anglers to use existing reporting and regulation apps.
- Potentially consider implementing an education requirement that is valid for as long as a permit is maintained and up to date. If a permit lapses or a new permit is issued, the permit holder would need to go through the education requirement again.

IPT Comments:

- The Council will need to specify additional details of how to develop an education component such as who will be developing the materials? What is the content? What will be the format (video? test?)? Etc.
- If the Council chooses a vessel based permit, who would be required to take the “test”? All permit holders? Only the vessel operator? How would this be tracked?
- An education component would trigger the Paper Work Reduction (PRA) approval process. The assumption would be that all permit holders would need to take the training.
 - Will need to know how long the training will take and what format to start the PRA process.

Committee Action:

- CONSIDER AP INPUT AND IPT COMMENTS.
- PROVIDE GUIDANCE ON FURTHER DEVELOPMENT OF AN EDUCATION COMPONENT.

Action 6. Specify whether an education component in the private recreational portion of the snapper grouper fishery would be mandatory or voluntary

Purpose of the Action: This action would specify whether an education component would be mandatory or voluntary for private recreational anglers or vessels fishing for or targeting snapper grouper species in the South Atlantic region.

Alternative 1 (No Action). There is not a required education component for private recreational anglers to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 2. An education component would be mandatory for all private recreational permit holders to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 3. An education component would be voluntary for all private recreational permit holders to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

AP Comments and Recommendations:

The following feedback and recommendations were provided by the Snapper Grouper AP at their April 2023 meeting:

Recommendations:

- Recommend a new alternative that would immediately implement a mandatory education component to go along with a permit but to not delay implementation of a permit.
 - There was clarification that an education component still should move forward independently of permit if necessary.

IPT Comments:

- The Council is free to pursue its own voluntary education certification at any time, similar to how it has already developed an angler outreach and education program.
 - If required, then an education component and related actions will need to be included and analyzed in this amendment (**Actions 5, 7, and 8**).
 - If the Council wants the education component to be mandatory, then this action can likely be removed. **Action 5** is currently written to accommodate a mandatory measure.
 - If voluntary, then **Actions 5 through 8** would not need to be included and analyzed in this amendment. Voluntary measures could still be captured in the amendment document and discussed in an appendix.
 - Voluntary measures will be difficult to analyze in an amendment document in “action and alternatives” form since there is no accompanying regulation change.

Committee Action:

- CONSIDER AP INPUT AND IPT COMMENTS.

- PROVIDE GUIDANCE ON FURTHER DEVELOPING ACTION 6.
 - Does the Council want to continue considering a voluntary education component in this amendment?

Action 7. Specify the timing of implementation for an education component in the private recreational portion of the snapper grouper fishery

Purpose of the Action: This action would specify the timing of when an education component would become effective for private recreational anglers or vessels fishing for or targeting snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 1 (No Action). There is not a required education component for private recreational anglers to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 2. An education component would be implemented immediately when a private recreational snapper grouper permit is established.

Alternative 3. An education component would be delayed until a later date after a private recreational snapper grouper permit has been established. (*Note: Council would need to specify length of delay*).

AP Comments and Recommendations:

The following feedback and recommendations have been provided by the Snapper Grouper AP at their April 2023 meeting:

Recommendations:

- Recommend a new alternative that would immediately implement a mandatory education component to go along with a permit but to not delay implementation of a permit.
 - There was clarification that an education component still should move forward independently of permit if necessary.

Committee Action:

- CONSIDER AP INPUT.
- PROVIDE GUIDANCE ON THE RANGE OF ALTERNATIVES TO FURTHER DEVELOP.
 - Does the Council want to continue consideration of a delayed implementation in this amendment?
 - If so, how long of a delay does the Council want to consider in **Alternative 3**?

Action 8. Specify the timing of education component requirements for the private recreational portion of the snapper grouper fishery in the South Atlantic region

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

Alternative 1 (No Action). There is not a required education component for private recreational anglers to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 2. An education component would need to be completed each calendar year.

Alternative 3. An education component would need to be completed upon each issuance of a federal private recreational snapper grouper permit.

Alternative 4. An education component would need to be completed every other year upon issuance of a federal private recreational snapper grouper permit.

Alternative 5. An education component would need to be completed upon initial issuance of a federal private snapper grouper recreational permit.

AP Comments and Recommendations:

The following feedback and recommendations were provided by the Snapper Grouper AP at their April 2023 meeting:

General Comments:

- Consider implementing an education requirement that is valid for as long as a permit is maintained and up to date. If a permit lapses or a new permit is issued, the permit holder would need to go through the education requirement again.

IPT Comment:

- Who is intended to take on and track the education component? It would be helpful if this was specified by the Council.

Committee Action:

- CONSIDER AP INPUT AND IPT COMMENT.
- PROVIDE GUIDANCE ON FURTHER DEVELOPMENT OF AN EDUCATION COMPONENT.
 - To help prepare the amendment for public hearings, staff and the IPT would benefit from a discussion by the Committee on the details of how it envisions an education component being developed and functioning. The following questions are intended to help facilitate this discussion:
 - How does the Council envision developing the materials for an education component?
 - What format does the Council envision?

- Video? Online? In-person? Will there be a paper format available? Will there be a test?
- Who would be responsible for developing the education materials?
 - NMFS or the Council?
- Presumably NMFS would be responsible for implementing and tracking the education component. Is this how the Council envisions it?
- Who would need to obtain proof of completing the education component? Permit holders? Any others (vessel operators, vessel owners, someone on the vessel)?