



November 10, 2025

The Honorable Howard Lutnick
Secretary
United States Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Re: South Carolina Department of Natural Resources (SCDNR), Exempted Fishing Permit (EFP) for Atlantic Red Snapper

Dear Secretary Lutnick,

Thank you for your effort to improve fish conservation in the United States.

On April 17, 2025, President Trump signed Executive Order 14276, Restoring American Seafood Competitiveness. Executive Order 14276 directs the United States Department of Commerce and NOAA to expand the use of Exempted Fishing Permits (EFPs) to expand access to fishing and to modernize data collection.

The state of South Carolina is pleased to submit the attached EFP, which the state believes meets the goals of President Trump's Executive Order 14276. Under the EFP, SCDNR will develop and pilot a state data collection program intended to improve recreational data and help determine an effective approach for management of red snapper in South Carolina.

We ask for the EFP to be approved expeditiously, so we can begin our preparation and outreach efforts for the 2026 fishing season.

Thank you for your attention to this matter, and we look forward to working with you and answering any questions you have.

Sincerely,

A handwritten signature in black ink that reads "Blaik Keppler".

Blaik Keppler, Deputy Director; Marine Resources Division

cc: Dr. Thomas Mullikin, SCDNR Director; Amy Dukes, Regional Fisheries Manager



To:

NOAA Fisheries Southeast Regional Office (SERO)
Andrew J. Strelcheck, Regional Administrator
Sustainable Fisheries Division
263 13th Ave. South
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andy.strelcheck@noaa.gov

Attn: Rick DeVictor, South Atlantic Branch Chief
rick.devictor@noaa.gov

Date:

November 10, 2025

Applicant:

South Carolina Department of Natural Resources (SCDNR)
217 Fort Johnson Road
Charleston SC, 29142

Primary Contact:

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Principal Investigator:

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Purpose:

Request that an Exempted Fishing Permit (EFP) be issued to the SCDNR to develop and pilot a state data collection program with the desired long-term intent to implement state management of Atlantic red snapper (*Lutjanus campechanus*). This EFP, to be requested annually for up to three years, is intended specifically for recreational anglers, including private recreational anglers and state-licensed for-hire operators who possess federal permits for snapper-grouper species. South Carolina's proposed EFP was developed in cooperation with the other three South Atlantic states—North Carolina, Georgia and the east coast Florida—serving as a platform to test tools and strategies to improve recreational data collection by permitting states to have both involvement and flexibility in the management of red snapper.

Specific regulations from which an exemption is requested and why each exemption is required for the experiment to succeed:

The requested EFP is under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), and regulations 50 CFR 600.745 (b) concerning exempted fishing. The NOAA Fisheries SERO Administrator has the authority to approve the EFP sought by this application with the following regulatory exemptions:

50 CFR 622.181(c)(2) Red Snapper: Red snapper may only be harvested or possessed in or from the South Atlantic EEZ during the commercial and recreational seasons as specified in §§ 622.183(b)(5) and 622.193(y). Any red snapper caught in the South Atlantic EEZ during a time other than the specified commercial or recreational seasons specified in § 622.193(y) must be released immediately with a minimum of harm. In addition, for a person on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, the prohibition on the harvest or possession of red snapper applies in the South Atlantic, regardless of where such fish are harvested or possessed, i.e., in state or Federal waters.

50 CFR 622.8 (b) Quota closures: When a quota specified in this part is reached or is projected to be reached, the Assistant Administrator will file a notification to that effect with the Office of the Federal Register. On and after the effective date of such notification, for the remainder of the fishing year, the applicable closure restrictions for such a quota, as specified in this part apply. See the applicable ACLs, annual catch targets (ACTs), and AMs sections in subparts B through U of this part for closure provisions when an applicable ACL or ACT is reached or projected to be reached.

Background and Justification for Issuance of an EFP:

SEDAR 73 (2021) for Atlantic red snapper concluded that the population was overfished and that overfishing was occurring; however, the update to SEDAR 73 (2024), when utilizing the ratio of spawning stock biomass to minimum stock-size threshold, indicated that the stock is not overfished and that the stock was progressing toward rebuilding with higher-than-expected recruitment during 2014-2021. The assessment update concluded that overfishing was occurring mostly driven by dead discards in the recreational fishery primarily during the closed season when anglers target other snapper-grouper species that co-occur with red snapper.

The current stock status, based on Secretarial Amendment 59 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region, indicates overfishing is no longer occurring following the changes to the overfishing proxy. The total annual catch limit (ACL) is 509,000 fish, of which 475,000 fish are attributed to dead discards, allowing for only 6.7% of the total ACL to be harvested. The 2025 recreational fishing season was open for two days (July 11-12) and was based on a recreational ACL of 22,797 fish or 4.5% of the total ACL.

Anglers have been frustrated for years with NOAA Fisheries and the South Atlantic Fishery Management Council. They have voiced their frustrations at council meetings, advisory panel meetings, and through other outlets including news and social media. One of the most recurring themes relates to recreational fishing data collection. South Carolina recreational red snapper data are primarily collected through the NOAA Fisheries Marine Recreational Information Program (MRIP) which does not provide reliable catch estimates for red snapper landings or discards due to the narrow seasonal openings for harvest versus multi-month wave data

collection design, resulting in low intercept rates of anglers and high percent standard errors (PSEs). MRIP cautions use of catch estimates in fisheries management decisions for PSEs over 30% and does not support the use of catch estimates for fisheries management decisions for PSEs over 50%. For red snapper total harvest estimates in South Carolina, there were years with no available data and in only one year, 2004, were PSEs below 50%. The remaining PSEs ranged from 51% to greater than 100%, making MRIP estimates of recreational landings unreliable and not suitable for use in management. In direct contradiction to MRIP's own guidance, these data were used in SEDAR 73 and in the 2024 updated assessment because no alternative data were available. Similarly, South Carolina's MRIP yearly (1981 – 2025) catch estimates for recreational red snapper are not suitable for use in management, with 13 years providing no available harvest estimates. Additionally, MRIP was not designed, nor does it have the capability to monitor ACL quotas in real time. MRIP, with its reliance on 2-month sampling waves, is also not an appropriate method for estimating harvest during short one- or two-day red snapper seasons. NOAA Fisheries has likewise stated that the MRIP Fishing Effort Survey may be overestimating recreational fishing catch and effort estimates by up to 40%. Additionally, the dead discards, which NOAA previously stated should not be used for management purposes due to high levels of uncertainty, represent the main reason for a small ACL and short fishing seasons. Therefore, MRIP data are not a reliable source for monitoring in-season landings or annual discards of red snapper off the South Carolina coast.

As previously stated, the mini recreational season, or derby-style fishing, is a major frustration for anglers and results in a fishery of “brief duration during which fishers race to take as much catch as they can before the fishery closes” (NOAA Glossary). These short fishing seasons not only decrease economic benefits to coastal communities that rely on recreational fishing, but they also frustrate anglers who will often choose to engage in unnecessarily risky fishing practices such as fishing during poor weather conditions to take advantage of the limited opportunities to harvest red snapper. Invariably, some areas experience good weather, and fishermen can fish during the mini season, while others do not and fishermen there lose all harvest opportunity for the year. These derby seasons are the result of having little ACL remaining for harvest due to dead discards of red snapper.

Topping et al. (2019) compared private recreational fishing harvest and effort in the Gulf between a derby season and an extended season. In 2017, the red snapper season was a three-day-long derby season. After discussions among agencies and congressional offices, NOAA Fisheries re-opened the season for an additional 39 days providing an opportunity to examine angler behavior in each scenario. Daily catch and effort rates were compared between both seasons as well as weather impacts on fishing effort. Daily harvest and effort rates were significantly higher during the derby season compared to the extended season and were a function of length and weather.

The Gulf states have a well-documented management history for Gulf red snapper, with state specific data collections beginning in 2014 and the initiation of Amendment 50 with the desired outcome to give the Gulf states control over their red snapper seasons and management. Similar angler frustrations with increased ACLs but decreased number of days to fish ultimately led to NMFS requesting the Gulf states to apply for EFPs to evaluate the utility of state-based electronic reporting methods and determine their ability to manage harvest. This allowed for harvest of red snapper in federal waters while assessing angler acceptance and the validity of electronic reporting methods. Each state applied and was granted EFPs in 2018 and 2019, which led to Amendment 50A to the Fishery Management Plan for the Reef Fish Resources of the Gulf.

The implementation of this amendment in 2020 enabled the Gulf states to manage recreational harvest of red snapper based on their constituents' input regarding the establishment of fishing seasons, size and bag limits, and collectively remaining within federal guidelines.

The recreational fishing industry in the South Atlantic is similarly frustrated, as red snapper are a highly sought-after species by private recreational and for-hire anglers. They have faced limited access, while perceiving a steady increase in the availability of red snapper. Additionally, these frustrations are compounded by inadequate data collection for red snapper, both for recreational landings during the shortened seasons and for the high number of discards year-round, which are estimated through MRIP. Furthermore, the recreational fishing industry has contested the one-size-fits-all management approach, currently utilized in the South Atlantic, which has restricted angler access to the resource. To address these concerns, South Carolina is requesting an EFP in coordination with the other South Atlantic states. While each state's proposal shares a similar intent, each will be individually designed to determine the most effective approach for management of red snapper in each state. The EFPs would be executed simultaneously with the development of an Amendment to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic.

Goals and Objectives:

SCDNR has three overall goals:

1. Identify the universe of private recreational anglers participating in the red snapper fishery. SCDNR has no accurate method to quantify or identify South Carolina licensed saltwater anglers who fish for red snapper. The lack of a known delineated user group leads to high data uncertainty. Through this project, SCDNR will examine its ability to identify the universe of private recreational anglers and better understand those participating in the red snapper fishery.

2. Determine if the state can improve accuracy and availability of private recreational and for-hire catch data of Atlantic red snapper in South Carolina's adjacent federal waters. This will be accomplished through the development of a pilot electronic data collection program for private recreational anglers, as well as through existing for-hire electronic data collections. This project is intended to test an alternative data collection approach, under an extended fishing season, as opposed to the current derby-style format, and compare the results to existing MRIP estimates.

3. Gain beneficial baseline information to inform future state management. This project will collect valuable information about catch and effort data, number of fishery participants, and their general fishing practices and behaviors. It will allow the agency to gain meaningful information upon which to design or implement a specialized state recreational fishing survey that would provide timely and precise data to supplement MRIP, specifically for reef fish, to enhance management.

The following project objectives and methods support the overall goals:

- Establish an electronic data collection program for licensed private recreational anglers that will accurately attain recreational landings, discards, and effort on red snapper trips off South Carolina. Reporting compliance will be enforced by SCDNR.

- Assess the effectiveness of mandatory electronic private recreational data collection for managing red snapper by monitoring recreational harvest in near real time.
- Continue mandatory for-hire data collections through the electronic logbook reporting program for SCDNR-licensed charter vessels (six or fewer passengers) that also possess a valid SERO South Atlantic Charter/Headboat permit for Snapper Grouper.
- Continue the data pathway from the Southeast Region Headboat Survey to ensure mandatory for-hire data collections through their electronic logbook reporting program for SCDNR-licensed headboats (seven or more passengers) that also possess a valid SERO South Atlantic Charter/Headboat permit for Snapper Grouper.
- Provide private recreational and for-hire anglers with an enhanced opportunity to harvest fish while observing angler behavior under increased access to red snapper by extending fishing days in federal waters beyond the one- to two-day derby fishing days allowed by NOAA Fisheries during the mini-seasons since 2012.
- Evaluate whether recreational estimates collected through the MRIP accurately represent recreational catch and effort of red snapper off the coast of South Carolina.
- Determine if increasing the opportunity to fish for red snapper during longer fishing seasons will or will not increase catch and effort rates and reduce discards compared to short, derby-style fishing day(s).
- Determine angler preferences for trips (e.g., week vs. weekend fishing days, trip start and end times, trip start and end locations) and potential alternative management measures (e.g., bag, size, and season limits). This would be accomplished through analysis of the mandatory data collections paired with surveys to private recreational anglers, including those not captured through mandatory data collections.
- Examine the potential for a permanent private recreational permit, license, or endorsement for the privilege of recreational fishing in saltwater to harvest, attempt to harvest, or possess red snapper. This would provide a subset of licensed saltwater anglers fishing for red snapper. If established in state law, this could be expanded to other species under the South Atlantic Fishery Management Council Snapper-Grouper Fishery Management Plan in the future.
- Collect additional information on length, weight, disposition, and age, when applicable, to assist managers and researchers in evaluating the relative condition of the red snapper population and support stock assessments.
- Provide managers with accurate and near-real-time harvest estimates by sector.

Methods:

Through our EFP, South Carolina licensed private recreational (or otherwise exempt) and for-hire anglers will be allowed to harvest one red snapper per person per day with a minimum size limit of 20 inches total length (matching current state water size regulations) from federal waters out to 200 nautical miles; however, on for-hire trips, the captain and crew will not be permitted to retain a red snapper (i.e., the recreational bag limit will apply only to paying passengers). Although the target species is red snapper, other species within the South Atlantic snapper-grouper complex may be caught and harvested and participants are required to follow regulations for those species. All EFP trips must originate and terminate from a South Carolina landing location. SCDNR is proposing that the EFP consists of a 61- or 62-day season, which will align with MRIP Wave 3, 4, or 5. A longer season will provide anglers with greater flexibility and the opportunity to fish without the current constraints related to derby-style fishing. Furthermore, this will allow for the collection of baseline catch and effort data that would be

used as a reference point and later be compared with the corresponding MRIP wave estimates. This project will test the effectiveness of SCDNR's newly developed data collection system for monitoring catch in real time, relative to MRIP, under conditions more consistent with MRIP's design. SCDNR is requesting the extended season for a minimum of one year.

To improve accurate tracking of catch and effort under the extended season, SCDNR will establish a mandatory declaration of private recreational trips targeting or retaining red snapper with an associated mandatory reporting requirement, as well as continue mandatory trip-level reporting for both charter and headboat operators. To prevent false inflation of new entrants, for-hire vessels must possess a current and valid South Carolina charter/headboat vessel license and a SERO South Atlantic Charter/Headboat permit for Snapper Grouper both issued prior to January 1, 2026, to participate in this EFP.

The EFP will allow SCDNR to develop, implement, and evaluate an electronic data collection program for licensed private recreational anglers. Electronic reporting will be completed through an application created by Bluefin Data LLC. This same application will be utilized by South Carolina, North Carolina and Georgia state agencies to ensure standardization in data collection methods and allow for cost effective implementation. Bluefin Data specializes in developing electronic reporting platforms for fisheries data and built VESL, the application currently used to collect electronic for-hire data from South Carolina-licensed and federally permitted charter vessels and headboats. Private recreational anglers will self-register in the VESL application as a user and acknowledge that, as a condition of their valid saltwater fishing license and participation in the EFP, they must comply with mandatory electronic reporting requirements for any trips targeting or retaining red snapper. VESL is designed to accommodate diverse data collection needs with a user-friendly interface for simple and straightforward data entry. It also provides errors and warnings to prevent incomplete data submissions and alert users to correct or provide missing information before submission.

Private recreational anglers will be required to declare each fishing trip date in the VESL application no earlier than five days prior to the start of a trip to receive a trip authorization code linked to that individual trip. This code will be directly linked to the post-trip mandatory reporting requirement, which must be completed within 24 hours from the trip departure time. The mandatory report must be completed and submitted prior to receiving an authorization code to initiate a new trip. Anglers will have the ability to cancel any trip declarations prior to starting the trip if the fishing plan changes (e.g., inclement weather, mechanical issues, unforeseen conflict). For instances where non-licensed private recreational anglers (e.g., under 16 years of age) or licensed anglers who do not have access to a smartphone or computer that are fishing under this EFP, alternate trip participants may submit data on their behalf. A method will be included on the mandatory post-trip reporting application for this purpose; additional data fields will be displayed for the designated representative to complete reporting for these individuals. Compliance will be enforced by SCDNR law enforcement. If an officer intercepts a private recreational angler as they are leaving for or returning from trips targeting or retaining red snapper, they will verify authorization codes for that trip. Officers can also take note of for-hire fishing activity (specifically any landed red snapper) to ensure that the corresponding mandatory report is submitted.

SCDNR staff conducting the MRIP Access Point Angler Intercept Survey (APAIS) will assist private recreational anglers with mandatory post-trip reporting requirements when red snapper are known to have been harvested or discarded by distributing outreach materials. For validation purposes, APAIS staff will attempt to collect trip authorization codes. Additionally, other data elements may be collected including vessel registration numbers, number of anglers,

hours fished, number of fish released, fish retained, and any biological data (length, weight, and otoliths) from retained red snapper if possible.

The SCDNR will leverage its charter observer program data to further validate reported for-hire catch. The project was designed to better characterize the South Carolina charter reef fish fishing behavior, catch, and discard composition. Data collected include the number of anglers, hours fished, number and size of fish retained and released by species, and disposition of fish at the time of release. These data will provide more detailed and accurate assessments on the number and disposition of regulatory discards of red snapper.

SCDNR staff will contact private recreational anglers by email and phone to assist with mandatory reporting as needed. If an authorization code is not accompanied by a post-trip report, SCDNR staff will contact anglers to assist with trip submission in VESL. Additionally, staff will manually void any authorization codes assigned to cancelled trips. Outreach will ensure those operating under the EFP understand its purpose and requirements. A dedicated website will include a summary of the program, the purpose of the project, as well as its goals, objectives, and timeline. It will also include links to instructional videos demonstrating the reporting application (initial setup, trip declaration and reporting) for participating private recreational anglers. Additional supporting materials will be provided that can be downloaded and printed and will include a trip datasheet to assist in complete and accurate reporting, as well as step-by-step instructions to clearly outline the reporting requirements. Small handouts, including overview information and QR codes, will be created and distributed to private recreational anglers. The existing outreach efforts to the for-hire fleet will continue.

The outcomes of the 2026 EFP will provide guidance on the need for, and possible refinement of, future EFP applications in years two and three (calendar years 2027 and 2028).

Data Objectives:

The SCDNR electronic data collection programs, including the newly developed system for private recreational anglers and the existing program for the for-hire fleet, collect data fields specifically designed to determine whether they improve the accuracy and availability of information compared to existing MRIP estimates.

Prior to fishing (trip declaration):

- Name of private recreational angler (email address will serve as login) and associated saltwater license number
- Vessel registration number or U.S. Coast Guard documentation number
- Trip date (calendar dropdown to ensure accurate date selection)
- Trip start time (time wheel with am/pm selection)
- Landing location (name of boat ramp/marina)
 - Dropdown list populated by MRIP APAIS landing locations
 - Option to request additional locations if not provided (e.g., private location with a text field to provide address)

At trip completion (post-trip report):

- Trip end time
- Primary fishing location (grid map at 10 x 10 square mile resolution to drop a pin or provide latitude/longitude to the minute)
- Number of red snapper harvested
- Number of red snapper released by fate (alive/dead)

- Hours spent fishing (to nearest quarter hour)
- Habitat fished (artificial reef, natural bottom, mix)
- If reporting on behalf of others: Total number of fishing anglers, including the reporting individual (the number of reported red snapper harvested and/or released will then collectively represent these anglers)

A unique trip identification number will be created for each private recreational fishing trip, and a new trip cannot be initiated without the prior trip's complete and submitted mandatory report. Vessel registration number and trip dates will allow for angler trip consolidation to a single vessel trip and will be used to support SCDNR staff contacting anglers to further assist with trip submission in VESL and mitigate duplicate reporting. Reporting will be implemented in year one; however, decisions on which of the fields above will be included and identified as mandatory are still under consideration.

For-hire electronic data collection elements will continue as currently mandated. The data fields for this reporting requirement will cover the entire trip, including all species encountered, and will be as comprehensive as or more precise than the data fields listed above for the SCDNR data collection platform for private recreational anglers.

Utility of the Data:

The results of our proposed EFP will determine harvest rates for private recreational and state-licensed for-hire anglers in South Carolina when encountering red snapper, offer a comparison to determine if this provides a more timely and reliable method for monitoring red snapper catch, and generate additional biological data to support stock assessments.

The results will also inform fisheries managers in future decisions regarding revisions to subsequent EFPs and ultimately state-based red snapper management. SCDNR intends to coordinate with NMFS to determine changes to subsequent EFPs and whether additional data collection elements or fish species should be added into the mandatory reporting requirements.

Potential Impacts:

Are there any anticipated environmental impacts on fisheries, marine mammals, endangered species, or essential fish habitat?

Recreational fishing occurs during the requested time intervals regardless of red snapper harvest, thus impacts to marine mammals, endangered species, and essential fish habitat should remain the same. Although the EFP may increase the number of trips specifically targeting red snapper, it is not expected to increase the overall recreational fishing effort. The requested EFP would allow for red snapper to be retained that would otherwise have been counted as discards. According to Topping et al. (2019), extending the season could reduce effort and harvest rates, as fishers would have more opportunities to fish and would be less likely to concentrate effort into a short time frame.

What is the potential risk to the Red Snapper stock?

The update of SEDAR 73 (2024) indicated that the stock was overfished and that overfishing was occurring however, it also indicates that the stock was progressing toward rebuilding with higher-than-expected recruitment. Amendment 59 revised the

overfishing proxy which changed the stock status to overfishing is no longer occurring. As described above, the overall amount of recreational fishing that could result in the catch of red snapper should not be affected; as such, the potential risk to the stock is expected to be low.

Why consider harvest in MRIP Wave 3, 4, and/or 5 during the documented spawning season?

Red snapper spawn from May through October in the Atlantic, with peak spawning occurring from June through September; however, opportunities to fish are greatest in MRIP Wave 3, 4, and 5 due to weather conditions being more likely amenable to taking small boats offshore. Additionally, recreational fishing occurs year-round, regardless of red snapper harvest regulations, but the summer months correspond to higher water temperatures and reduced dissolved oxygen concentration. These environmental conditions can increase physiological stress in released fish and reduce their likelihood of survival (i.e., discards during this period are less likely to survive). By allowing retention of red snapper that would have otherwise been counted as discards and most likely become dead discards, the requested EFP may help reduce discard mortality while providing anglers with greater opportunities for harvest.

Signature of Applicant:



Blaik Keppler
Deputy Director, Marine Resources Division



Amy Dukes
Regional Fisheries Manager

References

SEDAR 73 Assessment. 2021. South Atlantic red snapper stock assessment report. Southeast Data, Assessment and Review. North Charleston, South Carolina.
<https://sedarweb.org/>.

SEDAR 73 Update Assessment. 2024. South Atlantic red snapper stock assessment report. Southeast Data, Assessment and Review. North Charleston, South Carolina.
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NMFS Fisheries. 2025. Secretarial Amendment 59 to the Fisheries Management Plan for Snapper Grouper, National Marine Fisheries Service, Southeast Region, 263 13th Ave S., St. Petersburg, FL, 33701.

Topping, T.S., M.K. Streich, M.R. Fisher, G.W. Stunz. 2019. A comparison of private recreational fishing harvest and effort for Gulf of Mexico Red Snapper during derby and extended federal seasons and implications for future management. *North American Journal of Fisheries Management*, 39:1311 – 1320.