

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
May 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.

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](#))
- Outreach and Communications AP (click [HERE](#))
- Snapper Grouper Recreational Permitting and Reporting AP ([Meeting 1](#), [Meeting 2](#), [Meeting 3](#), and [Meeting 4](#))
- Snapper Grouper AP ([Meeting 1](#), [Meeting 2](#))
- Law Enforcement AP (click [HERE](#))

At this meeting, the AP will be provided with an overview of the actions in Amendment 46, review of recommendations from the October 2023 AP meeting, and asked to provide additional feedback on the education requirement being considered 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 and alternatives being considered for the education requirement.
- 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 review of amendment and AP comments.
September 2024	Council reviews modifications to the amendment, select preferred alternatives, and approve for public hearings.
Fall 2024	Conduct public hearings.
December 2024	Council reviews amendment and public hearing comments.
March 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.

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	<u>All private vessels</u> to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.
Preferred Alternative 3	<u>All private anglers</u> to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

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	<u>Any species</u> 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	<u>Any deepwater species</u> in the snapper grouper fishery management unit.

Discussion:

- The Council has the option to select multiple alternatives as preferred to capture different groups of species in **Action 2**.
- **Alternatives 2** through **4** address the species would be covered by the permit in **Action 2** (**Table 1**).
 - **Preferred Alternative 2** would cover all snapper grouper species found within the management unit (55 species).
 - **Alternative 3** would cover the species that fall under the Florida State Reef Fish Survey (13 species).

- **Alternative 4** would cover species in the deepwater complex and other deepwater species (10 species).

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.

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.

AP Comments and Recommendations:

- The **Permitting and Reporting AP** noted that 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 following feedback and recommendations were provided by the **Outreach and Communications AP** at the October 2023 meeting:

Program Content and Structure

- Use a short video to explain why the permit is being proposed, including fishermen want better data – “ya’ll asked for it.”
- Too many anglers need to be reached – in-person outreach is limited and takes notable resources.
- Online availability is essential.
- Consider a 15-20-minute online education course with an interactive quiz component.
- If a vessel permit, emphasize the owner is responsible for messaging to his/her “crew”.
- Have a condensed version of the online course for recertification (FWC has a similar beach shark fishing course).
- Emphasized the need to pre-test and pilot study any course with anglers.
- Keep education requirement concise.

- Design for phone and mobile device use.
- Consider making education materials available in Spanish.

Existing Programs

- FL Sea Grant
- FWC Skyway Course (example)
- Return ‘Em Right – interactive and includes free gear.
 - Good example for content, structure, and evaluation.
- Earlier online course via FishSmart
- GADNR Shellfish Harvesters (available online with tech support)

Who Leads the Effort?

- This is a large effort – Council cannot do this alone.
- Involve NMFS, Council, and outside contractor for content and testing.
- NMFS should lead effort – Council doesn’t collect data.
- Use Return ‘Em Right as a model.

Delay education component with permit requirement?

- General support for immediate implementation – “rip the band aid off”
- Start with a short course – can always expand.
- Delaying may dilute the messaging that the education component is important.
- Implement on a state-by-state basis to test.

Other Comments/Recommendations

- Clarify this is a NOAA/Federal permit.
- If a vessel permit, could others take the course?
 - It would be helpful to allow as many anglers as possible to take the education course. Data focused improvements on vessel and permit related measures may be separated from the education requirement.
- Need stakeholder meetings or forums to address concerns (staff noted the ad-hoc AP being formed with recreational anglers).
- Share recreational permit information on social media and request feedback.

AP Discussion Questions:

- 1) If you were building this education program, how would you build it?
 - a. Who is responsible for:
 - i. Developing the education materials
 - ii. Developing the education program framework
 - iii. Maintaining the education program
 - b. Should there be a test for the requirement or is going through the education module enough for the certification process?
 - i. If there is a test, should it be pass/fail, achieve a certain percentage to pass, etc.?
 - ii. Is the AP still comfortable with the previous recommendations of:

1. A 15-20 minute course?
 2. Interactive quiz at the end of the course?
 3. A condensed version of the course if recertification is required?
- 2) 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?
- 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>).

AP Discussion Questions:

- 1) Are there any state exemption related considerations that the AP would like to bring to the Council’s attention?
 - a. If there is a state exemption, should the education materials be left up to the state to develop or would it be better to have a standard education module that all state programs use?

- 2) Does the AP have a recommendation for the Council to consider on **Action 5**?