

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

Decision Document
December 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 (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 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 Advisory Panel (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](#), [Meeting 3](#), and [Meeting 4](#))

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 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 AP 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.

A recreational saltwater fishing license, issued through the states, 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 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 has further refined options within the amendment at subsequent 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

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 a mechanism that would allow states to opt out of a federal permit requirement

Objectives for this meeting

- Review draft effects as well as AP and IPT feedback.
- Consider selecting preferred alternatives.
- Consider approving the amendment for public hearings.

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
✓October 2023	Advisory Panel review
December 2023	Review modifications to the amendment, select preferred alternatives, and approve for public hearings.
Winter 2024	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 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.

Committee Action:

- NO ACTION NEEDED. DISCUSS IF ANY CHANGES ARE NECESSARY.

Actions in the Amendment

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 an angler.

Alternative 1 (No Action). Do not require private vessels or private anglers to have a valid federal permit to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 2. Require a federal permit for all private vessels to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

Alternative 3. Require a federal permit for all private anglers to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

Summary of biological effects:

- Compared to **Alternative 1 (No Action)**, **Alternatives 2 and 3** would have positive impacts for snapper grouper species by reducing uncertainty in recreational catch estimates.
- Biological benefits, if realized, would be similar under **Alternatives 2 and 3**, followed by **Alternative 1 (No Action)**.

Summary of economic effects:

- **Alternative 1 (No Action)** would forgo potential improvements in recreational landings and effort information along with potential related indirect economic benefits. This alternative would also forgo direct costs.
- **Alternative 2** or **Alternative 3** would result in increased costs to private recreational participants resulting from a potential permit fee and the opportunity cost of the time needed to obtain a permit as well as increased administrative costs.
- There would be fewer permits issued under **Alternative 2** than **Alternative 3** resulting in notably lower costs for **Alternative 2** compared to **Alternative 3**.

Summary of social effects:

- The direct social effects of **Alternative 2** and **Alternative 3** should be minimal and primarily limited to the increased burden of paperwork created when applying for and renewing a permit.
- There may be indirect social effects depending on how snapper grouper fishermen perceive a federal recreational permit with regard to fairness and equity, since the for-hire and commercial sectors currently need to obtain a permit.
- Overall, the social effects from **Alternative 2** and **Alternative 3** are expected to be positive.

Summary of administrative effects:

- Compared to **Alternative 1 (No Action)**, **Alternatives 2** and **3** would result in adverse administrative effects for NMFS.
- Administrative effects would be highest under **Alternatives 3**, followed by **Alternative 2** and **Alternative 1 (No Action)**.

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:

- 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).
 - If a census level reporting approach for some species were to be implemented in the future, a vessel based permit would be better.

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 October 2023 meeting:

MOTION: REGARDLESS OF VESSEL OR ANGLER BASED PERMITTING, THE AP ADVISES THE COUNCIL TO INCLUDE REPORTING, PERMITTING, AND EDUCATION. APPROVED BY AP (14 IN FAVOR; 1 OPPOSED; 2 ABSTAIN)

General Comments:

- The AP noted that there was still unanimous support for creating a private recreational permit of some kind.
- AP members had a thorough discussion comparing the characteristics of a vessel-based and angler-based permit.
 - There was a split opinion amongst AP members on which alternative to recommend as preferred with 11 members in favor of a vessel-based permit (**Alternative 2**) and 7 members in favor of an angler-based permit (**Alternative 3**).
- Those in favor of a vessel-based permit (**Alternative 2**) noted that the logistics of issuing a vessel based permit would be easier since fewer permits would need to be issued, it would be consistent with how other federal permits are issued in the southeast, and would be easier to enforce than an angler-based permit.
- Those in favor of an angler-based permit (**Alternative 3**) noted that such a permit would more thoroughly identify the number of participants in the snapper grouper fishery and would broaden the reach of the education requirement.
- The AP expressed support for including a reporting requirement for private recreational anglers in Amendment 46.

IPT Comments:

- While not an IPT recommendation, it was noted that vessel-based permits would be easier to verify than angler-based permits during dockside surveys which would reduce potential bias from coverage error or non-coverage corrections. This would likely result in more accurate estimates.
- A 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.
- An 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.
 - Need to set up a system that would allow anglers to obtain a permit on short notice.

Committee Action:

- CONSIDER DRAFT EFFECTS, AP INPUT, AND IPT COMMENTS.
- CONSIDER SELECTING A PREFERRED ALTERNATIVE.

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 1 (No Action). Do not require private vessels or private anglers to have a valid federal permit to fish for, harvest, or possess 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 species covered by the Florida State Reef Fish Survey.**

Alternative 4. A federal private recreational snapper grouper permit would be required when fishing for, harvesting, or possessing **any deepwater species.**

Discussion:

- The Committee has the option to select multiple alternatives as preferred to capture different groups of species.
- **Alternatives 2 through 4** address the species would be covered by the permit (**Table 1**).
 - **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 Angler Designation (13 species).
 - **Alternative 4** would cover species in the deepwater complex and other deepwater species (10 species).
 - Blueline tilefish, golden tilefish, snowy grouper, and wreckfish have been tentatively added to **Alternative 4** after the Committee's discussion at the September 2023 meeting and subsequent discussion by the IPT.
- **Table 2** provides the top snapper grouper species harvested or caught by private anglers fishing in federal waters in the South Atlantic region through evaluating the top species by harvest in weight (lb ww), harvest in numbers, and total catch in numbers (harvest + discards) based on the average for each metric from 2018 to 2022. Estimates provided are inclusive of MRIP FES terms.
- **Table 3** provides the percent standard error (PSE) for harvest estimates by weight from 2018 to 2022 for the species identified in **Table 2**.
- Additional harvest, catch, and PSE information is available in Appendix F of the Amendment 46 document.

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.

Table 2. Comparison of the top snapper grouper species harvested or discarded by private anglers fishing in federal waters in the South Atlantic region across three metrics: harvest in weight (lb ww), harvest in numbers of fish or total catch (harvest and discards) in numbers of fish. The values in each column represent the average for each metric, from 2018 to 2022. Italicized species were ranked in the top 10 for all three metrics.

Top Species	Harvest (lb ww)	Harvest (# of fish)	Total Catch (# of Fish)
<i>red snapper</i>	2,855,785	335,083	2,790,544
<i>gray triggerfish</i>	626,045	245,056	501,607
<i>mutton snapper</i>	564,385	112,298	287,004
<i>yellowtail snapper</i>	547,751	533,627	1,194,017
<i>vermilion snapper</i>	527,235	445,970	1,004,126
greater amberjack	478,842	26,835	91,353
<i>black sea bass</i>	326,015	248,431	3,170,921
red grouper	299,006	38,282	90,912
<i>gray snapper</i>	269,941	195,771	344,764
almaco jack	260,186	59,080	235,716
white grunt	222,014	287,900	1,159,362
tomtate	197,788	531,720	1,858,367
lane snapper	122,879	160,292	333,626

Table 3. Percent standard error (PSE) around calendar year harvest estimates (lb ww) for the top species in the snapper grouper fishery management unit harvested in the South Atlantic EEZ by private anglers. Highlighting in orange indicates an estimate with a PSE value between 30 and 50 which should be treated with caution, and values highlighted in red indicate a highly imprecise estimate with a PSE value greater than 50.

TOP SPECIES	2018	2019	2020	2021	2022
<i>red snapper</i>	28.3	43.3	47.2	46	37.9
<i>gray triggerfish</i>	35.9	34.2	29.7	31.6	34.2
<i>mutton snapper</i>	55.8	57.6	58.7	31.9	36.2
<i>yellowtail snapper</i>	30.3	40.7	45.2	21.2	30.5
<i>vermilion snapper</i>	45	36.6	30.3	26.9	22.9
greater amberjack	38.2	46.3	39.1	46.6	44.5
<i>black sea bass</i>	25.7	27.9	21.3	29.2	28.5
red grouper	77.2	57.7	73.1	59.5	82.5
<i>gray snapper</i>	28.6	56.5	42.3	24.0	33.9
almaco jack	58.4	70.4	48.5	41.3	37.6
white grunt	43.1	36.7	40.8	48	44.3
tomtate	48.2	87.5	43.5	51.7	68
lane snapper	35.0	46.3	55.6	66.3	38.4

Summary of biological effects:

- Compared to **Alternative 1 (No Action)**, **Alternatives 2** through **4** would be expected to have positive impacts for snapper grouper species.
- Including the largest number of potential species under a permit could result in improved data collection, especially for rare event species.
- Biological benefits, if realized, would be greatest under **Alternative 2**, followed by **Alternative 3**, **Alternative 4**, and **Alternative 1 (No Action)**.

Summary of economic effects:

- The number of fishery participants that would be required to obtain a private recreational permit would be highest under **Alternative 2** since it includes the most species. Under **Alternative 3** and **Alternative 4**, fewer permits would likely be issued since fewer species would be covered and the associated total costs to fishery participants and administrative costs would be lower.
- **Alternative 2** is inclusive of the most species, thus has the highest potential utility and potential for indirect benefits. These potential indirect benefits would be lower for **Alternative 3** and **Alternative 4**.

Summary of social effects:

- **Alternative 2** would be the least complex for private recreational anglers and law enforcement. Additionally, by covering all species in the snapper grouper fishery management plan, the permit would continue to serve the purpose and need even if fishermen preferences or environmental conditions result in a change in effort to other snapper grouper species in the future.
- **Alternative 3** and **Alternative 4** add additional complexity which may make it challenging for private recreational fishermen and law enforcement to know what is required on a given fishing trip, potentially decreasing compliance with regulations.
- Alternatively, snapper grouper fishermen that do not target species covered by **Alternative 3** or **Alternative 4** would not need a permit, reducing the overall burden on the recreational sector.

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 that was reiterated at their October 2023 meeting:

MOTION: RECOMMEND THAT THE COUNCIL SELECT 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** and **4** that cover a subset of species which may make it more difficult for both law enforcement and anglers to keep up with the permit requirement.
- Consider the applicability of the Florida SRFS species (**Alternative 3**) to the whole South Atlantic region.
 - The list of species 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.
- In **Alternative 4**, suggest including deepwater complex species as well as blueline tilefish, golden tilefish, snowy grouper, and wreckfish to be more inclusive of the deepwater fishery.
- Consider the future need for permitting based on species’ distribution changes in a warming climate.

Committee Action:

- CONSIDER DRAFT EFFECTS, AP INPUT, AND IPT COMMENTS.
- CONFIRM WHETHER THE COMMITTEE WANTS TO ADD BLUELINE TILEFISH, GOLDEN TILEFISH, SNOWY GROUPER, AND WRECKFISH TO **ALTERNATIVE 4**.
- CONSIDER SELECTING A PREFERRED ALTERNATIVE.

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

Purpose of the Action: This action is necessary to establish a required education component for private recreational anglers or vessels fishing for, harvesting, or possessing snapper grouper species in the South Atlantic region. The action also clarifies whether the implementation of the required education component would be delayed from the implementation of the private recreational permit.

Alternative 1 (No Action). Do not require an education component for private anglers or vessels to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

DRAFT Alternative 2. Establish and require an education component in conjunction with a private recreational snapper grouper permit to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone. **The education component would be implemented at the same time as the private recreational permit requirement.**

DRAFT Alternative 3. Establish and require an education component in conjunction with a private recreational snapper grouper permit to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone. **The education component would be implemented at a later date after the private recreational permit requirement has been established.**

(Note: Council would need to specify length of delay for implementation)

Discussion:

- At the September 2023 meeting, the Committee tasked the IPT to consolidate the education requirement actions. The draft alternatives presented are a result of consolidating the previous actions that established an education requirement and specified whether the education requirement would have a delayed implementation from the permit requirement.

Summary of biological effects:

- If the required training is utilized by recreational anglers, **Alternatives 2 and 3** could provide increased survivorship and reduced mortality of discarded snapper grouper species, thus resulting in both short and long-term positive biological effects to snapper grouper species.
- Biological benefits, if realized, would be greatest under **Alternative 2**, followed by **Alternative 3**, and **Alternative 1 (No Action)**.

Summary of economic effects:

- **Alternative 1 (No Action)** would forgo potential improvements in post release mortality of some snapper grouper species, which could also forgo economic benefits. This alternative would also forgo direct costs to anglers and NMFS.
- **Alternative 2** and **Alternative 3** would result in direct economic effects through increased costs stemming from the opportunity cost of the time to permit holders from needing to complete the requirement as well as increased administrative costs.

- There would be potential improvements in post release mortality of some snapper grouper species under both **Alternative 2** and **Alternative 3** with potential related economic benefits.
- These described costs and benefits would occur sooner under **Alternative 2** than under **Alternative 3**.

Summary of social effects:

- The short-term direct negative social effects of an education component (**Alternative 2** and **Alternative 3**) would be associated with the time burden of completing the program.
- There would be long-term indirect social benefits if the education component improves the long-term sustainability of the snapper grouper resource which in turn would improve fishing opportunities for all participants in the snapper grouper fishery.

Summary of administrative effects:

- **Alternatives 2** and **3** would create adverse administrative effects compared to **Alternative 1 (No Action)**.
- The development of the education and outreach component would create a substantial short-term impact on the administrative environment.
- NMFS would also need to develop a process to verify completion of the required training.

AP Comments and Recommendations:

The following feedback and recommendations were provided by the Snapper Grouper Recreational Permitting and Reporting AP at their August 2022 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 October 2023 meeting:

- The AP reiterated 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 following feedback and recommendations were provided by the Outreach and Communications AP at their October 2023 meeting:

Program Content and Structure

- Use 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.

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 DRAFT EFFECTS, AP INPUT, AND IPT COMMENTS.
- DISCUSS WHETHER TO ACCEPT DRAFT ALTERNATIVES.
- CONSIDER SELECTING A PREFERRED ALTERNATIVE.

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

Alternative 2. Completion of the education component would be required upon each issuance of a federal private recreational snapper grouper permit.

Alternative 3. Completion of the education component would be required every other year upon issuance of a federal private recreational snapper grouper permit.

Alternative 4. Completion of the education component would be required upon initial issuance of a federal private snapper grouper recreational snapper grouper permit.

DRAFT Alternative 5. Completion of the education component would be required upon initial issuance of a federal private recreational snapper grouper recreational permit and each time that the education component materials are updated.

Discussion:

- **DRAFT Alternative 5** was developed in response to the Committee’s guidance at the September 2023 meeting to “develop an alternative that would require permittees to update their education requirement whenever education materials or modules are also updated”.

Summary of biological effects:

- Any effects on the biological environment from this action regardless of the alternative selected would likely be minimal.

Summary of economic effects:

- The direct costs to permit holders would include the opportunity cost of the time that it would take to complete the requirement.
- In terms of direct economic costs, **Alternative 2** would result in the highest anticipated costs followed by **Alternative 3**, **DRAFT Alternative 5**, **Alternative 4**, and **Alternative 1 (No Action)**.

Summary of social effects:

- The more frequent the requirement to complete an education component, the greater the social effects on private recreational fishermen.
- Regular completion of the education component would contribute to the long-term sustainability of the snapper grouper fishery.

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 DRAFT EFFECTS, AP INPUT, AND IPT COMMENTS.
- DISCUSS WHETHER TO ACCEPT **DRAFT ALTERNATIVE 5**.
- CONSIDER SELECTING A PREFERRED ALTERNATIVE.

CURRENT Action 5. Establish a mechanism that would allow a state to opt out of a federal private recreational snapper grouper permit requirement

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 provided that similar measures were enacted for a state-based permit.

Alternative 1 (No Action). Do not establish a mechanism that would allow a state to opt out of a federal private recreational snapper grouper permit requirement to fish for, harvest, or possess snapper grouper species in the South Atlantic region.

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:

Sub-alternative 2a. The same entity as the federal permit.

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

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

DRAFT Sub-alternative 2d. The state permit would have the same education requirement as the federal permit.

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

Alternative 1 (No Action). Do not establish an exemption to the federal private recreational snapper grouper permit requirement to fish for, harvest, or possess snapper grouper species in the South Atlantic region.

Alternative 2. 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 implements equivalent measures that at a minimum include the following:

Sub-alternative 2a. The state permit is required for the same entity as the federal permit.

Sub-alternative 2b. The state permit is required for the same snapper grouper species as the federal permit.

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

Sub-alternative 2d. The state permit would have the same education requirement as the federal permit.

Discussion:

- **Action 5** was previously placed between the permit and education related actions. Since the Committee has clarified that the education component would be a requirement and discussed the linkage between the permit and education requirement, this action has been moved to be the final action in the amendment. This is intended to allow the Committee to discuss the

details of the permit and education requirements before discussing what an exemption to the federal requirements would entail.

- The Committee previously tasked the IPT to “develop a draft process for how NMFS would certify a state program to allow the opt out of a federal permit requirement” and “clarify the connection between the education component and the option for states to opt out of the education requirement”.
 - **DRAFT Action 5** is intended to clarify these connections and start to develop a certification process.

Summary of biological effects:

- **Alternative 1 (No Action)** and **Alternative 2** and the respective sub-alternatives are not likely to impact the biological environment because the mechanism for implementation is administrative in nature.

Summary of economic effects:

- Depending on the preferred alternatives selected in Actions 1 and 2, **Alternative 2** could eliminate the need to obtain a federal and a state permit for private recreational participants in the snapper grouper fishery in states that require such a permit, thus decreasing direct costs for these participants.
- In circumstances where the federal and state requirements vary, the effects of **Alternative 1 (No Action)** and **Alternative 2** would be the same.

Summary of social effects:

- If a federal permit is established under Action 1 but a mechanism that would allow states to opt out of the permit is not established, there is a possibility of redundant permits for private recreational fishermen.

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 5

- The AP recommends **Alternative 2, Sub-alternatives 2a, 2b, and 2c in Action 5**. (Note: **Sub-alternative 2d** was not available for discussion by the AP at the time).

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

- Funding is going to be an issue for states. It would be beneficial for the states to receive federal funding in support of a state-issued private recreational snapper grouper permit.
- What would a federal permit requirement look like in the state of Florida given the existing State Reef Fish Angler designation? If the federal requirements do not align with the current state requirements, would anglers still need to get both a federal and state permit?

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? What is the intended outcome?
 - Is it to reduce the regulatory burden on state anglers?
 - What is the goal of creating an opt out option?
- The state requirements would need to be exactly that same as what the federal agency is requiring. If data from both sources are not exactly the same, there will be issues using the data for the intended purpose of the amendment (i.e., see purpose and need statements).
- Lifetime state licenses do not collect data as often which could be problematic.
- If a federal permit exemption is allowed, some states may need to change their licensing program. Also would need to set timeframe for when permit data will 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 DRAFT EFFECTS, AP INPUT, AND IPT COMMENTS.
- DISCUSS WHETHER TO INCLUDE **CURRENT OR DRAFT ACTION 5**.
- DISCUSS WHETHER TO INCLUDE **SUB-ALTERANTIVE 2d**.
- CONSIDER SELECTING PREFERRED ALTERNATIVE(S).

Committee Action:

DRAFT MOTION: APPROVE AMENDMENT 46 AND ALL ACTIONS, AS REVISED, FOR PUBLIC HEARINGS.