

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

Decision Document  
March 2023

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

## Background

Amendment 46 to the Snapper Grouper Fishery Management Plan was previously developed in the first half of 2018 and was approved for scoping at the June 2018 South Atlantic Fishery Management Council (Council) meeting. Due to time constraints over the Council's workplan and the need to obtain more information on potential approaches for private recreational data gathering, the amendment was never scoped. From 2018 through 2020 staff focused instead on piloting the MyFishCount mobile app and portal. Other related efforts have also been underway, notably the convening of the Joint Council Workgroup on Section 102 of the Modernizing Recreational Fisheries Management Act of 2018 (Modern Fish Act), the Private Recreational Reporting Workgroup (workgroup), and subsequently the Snapper Grouper Recreational Permitting and Reporting AP (AP). The summary reports and recommendations from these groups can be found on the Council's website under the following links:

- Joint Council Workgroup on Section 102 of the Modern Fish Act (click [HERE](#))
- Private Recreational Reporting Working Group recommendations (click [HERE](#))
- Private Recreational Permitting AP ([Meeting 1](#) and [Meeting 2](#))

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

The 2016-2020 Vision Blueprint for the Snapper Grouper Fishery (Vision Blueprint) was approved in December 2015 and was intended to inform management of the Snapper Grouper fishery through 2020. The Vision Blueprint was also intended to serve as a "living document" to help guide future management, building on stakeholder input. The Vision Blueprint is organized

into four strategic goal areas: (1) Science, (2) Management, (3) Communication, and (4) Governance. Each goal area has a set of objectives, strategies, and actions. The potential actions in Amendment 46 correspond to different objectives and strategies in the Vision Blueprint.

Since the Council began development of the Vision Blueprint, fishermen have expressed concern with the estimates of recreational catch resulting from the Marine Recreational Information Program (MRIP). Stakeholders have been requesting that the Council explore a recreational stamp or permit for snapper grouper fishing. This recommendation has also been put forth by the Council's Snapper Grouper Advisory Panel numerous times. Permits have been implemented for the federal for-hire component of the recreational sector and the commercial sector for the Snapper Grouper, Dolphin Wahoo, and Coastal Migratory Pelagic fisheries in part to improve estimates of effort or catch in the South Atlantic region. However, these requirements do not cover the private recreational component.

Currently, a coastal recreational fishing license, issued through the states, is required for private recreational anglers as part of the 2007 Magnuson-Stevens Fishery Conservation and Management Act Reauthorization to improve estimates of catch and effort. There have been other federal and state efforts to further refine information gathered on the private recreational component of the recreational sector, such as the [Atlantic Highly Migratory Species Angling Permit](#) and [Large Pelagics Survey](#) that covers highly migratory species in the Atlantic and the [Private Recreational Tilefish Permit](#) in the Mid-Atlantic and New England regions. The state of Florida has also developed the [State Reef Fish Survey](#) where anglers intending to fish for 13 species of snappers, groupers, jacks, triggerfish, or hogfish from a private vessel must obtain an State Reef Fish Angler designation.

### **Recent Council actions in 2022 and 2023**

At their March 2022 meeting, the Council reviewed background information, recommendations from the workgroup, and directed staff to assemble candidates for an ad hoc AP to be selected in June 2022. The Council then reviewed recommendations from the first meeting of the AP at its September 2022 meeting. At this meeting, the Council approved the following vision statement and identified the subsequent list of additional questions for the AP to consider.

**Vision Statement:** A permit for the private recreational sector of the South Atlantic Snapper Grouper fishery will facilitate the collection, validation, and analysis of harvest and discard data to improve the catch and effort estimates used for fisheries science and management decision-making.

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. **Private recreational reporting was removed from further consideration in the amendment.** Additionally, the Council approved the amendment for scoping which was held in January and February 2023.

## Objectives for this meeting

- Review scoping comments.
- Provide guidance on options for further development in the amendment.
  - Help the IPT provide additional input and start to develop amendment sections.

## Tentative amendment timing

December 2022	Reviewed options paper and approved amendment for scoping.
Winter 2023	Conducted scoping.
<b>March 2023</b>	<b>Review scoping comments and provide guidance on the amendment.</b>
June 2023	Review amendment and preliminary analysis.
September 2023	Review modifications to the amendment, select preferred alternatives, and approve for public hearings.
Fall 2023	Conduct public hearings
December 2023	Review public hearing comments and provide guidance.
March 2024	Review final draft amendment and consider approval for formal review.
2024/2025	Regulation changes effective.

## DRAFT Purpose and Need

The *purpose* is to facilitate the collection and analysis of recreational harvest and discard data through a recreational permitting system that will better identify the universe of private anglers or vessels targeting South Atlantic snapper grouper species. Also work to promote best recreational fishing practices through education.

The *need* for the amendment is to improve education on best fishing practices and the quality of harvest and discard 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.

### Committee Action:

- PROVIDE GUIDANCE ON THE DRAFT PURPOSE AND NEED STATEMENTS.

## Options for Potential Actions

### Option 1. Establish a private recreational snapper grouper permit to fish for, harvest, or possess Snapper Grouper species in the South Atlantic Region

#### Council guidance for scoping:

- Include options for:
  - A vessel-based permit (*Option 2*).

- An angler-based permit.
  - All anglers fishing from a private vessel would need a permit (*Option 3*).
  - At least one angler on a vessel would need a permit (*Option 4*).
  - All anglers would need a permit (*Option 5*).
- Species potentially covered by the permit:
  - All species within the snapper grouper complex (*Sub-option a*).
  - Assessed stocks within the snapper grouper complex (*Sub-option b*).
  - Match the 13 species in Florida’s State Reef Fish Angler designation (*Sub-option c*).

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

**Option 2.** Require a federal recreational permit for any vessel participating in the private angler component of the snapper grouper fishery in the South Atlantic exclusive economic zone to fish for, harvest, or possess:

**Sub-option 2a.** Any species in the snapper grouper fishery management unit for which recreational harvest is allowed.

**Sub-option 2b.** Any assessed species in the snapper grouper fishery management unit for which recreational harvest is allowed.

**Sub-option 2c.** Any species in the snapper grouper fishery management unit that is also covered by the Florida State Reef Fish Angler Designation.

**Option 3.** Require a federal permit for any private angler on board a vessel participating in the private angler component of the snapper grouper fishery in the South Atlantic exclusive economic zone to fish for, harvest, or possess:

**Sub-option 3a.** Any species in the snapper grouper fishery management unit for which recreational harvest is allowed.

**Sub-option 3b.** Any assessed species in the snapper grouper fishery management unit for which recreational harvest is allowed.

**Sub-option 3c.** Any species in the snapper grouper fishery management unit that is also covered by the Florida State Reef Fish Angler Designation.

**Option 4.** Require a federal permit for at least one angler on board a vessel participating in the private angler component in the South Atlantic exclusive economic zone to fish for, harvest, or possess:

**Sub-option 4a.** Any species in the snapper grouper fishery management unit for which recreational harvest is allowed.

**Sub-option 4b.** Any assessed species in the snapper grouper fishery management unit for which recreational harvest is allowed.

**Sub-option 4c.** Any species in the snapper grouper fishery management unit that is also covered by the Florida State Reef Fish Angler Designation.

**Option 5.** Require a federal permit for any private angler participating in the South Atlantic snapper grouper fishery, regardless of where fishing takes place, to fish for, harvest, or possess:

**Sub-option 5a.** Any species in the snapper grouper fishery management unit for which recreational harvest is allowed.

**Sub-option 5b.** Any assessed species in the snapper grouper fishery management unit for which recreational harvest is allowed.

**Sub-option 5c.** Any species in the snapper grouper fishery management unit that is also covered by the Florida State Reef Fish Angler Designation.

**Discussion:**

- **Options 2 through 5** cover the development of a permit and whether it would be a vessel-based permit (**Option 2**) or an angler-based permit (**Options 3 through 5**).
  - **Option 2** would specify the development of a vessel-based permit.
  - **Option 3** would specify that all private anglers fishing onboard a vessel in the U.S. Exclusive Economic Zone (EEZ) would be required to obtain a permit.
  - **Option 4** would specify that at least one private angler fishing onboard a vessel in the U.S. Exclusive Economic Zone (EEZ) would be required to obtain a permit.
  - **Option 5** would specify that all anglers would be required to obtain a permit, regardless of where they are fishing.
- **Sub-options a through c** address which species would be covered by the permit (**Table 1**).
  - **Sub-option a** would cover all snapper grouper species found within the management unit.
  - **Sub-option b** would cover the currently assessed species that for which harvest is allowed (15 species).
  - **Sub-option c** would cover the species that fall under the Florida State Reef Fish Angler Designation (13 species).

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

Species	Assessed	FL Reef Fish Angler Designation	Species	Assessed	FL Reef Fish Angler Designation
Black grouper	X	X	Yellowedge Grouper		
Black sea bass	X		Silk Snapper		
Blueline Tilefish	X		Misty Grouper		
Gag	X	X	Sand Tilefish		
Golden tilefish	X		Queen Snapper		
Greater amberjack	X	X	Blackfin Snapper		
Hogfish	X	X	Gray Snapper		
Mutton Snapper	X	X	Lane Snapper		
Red grouper	X	X	Cubera Snapper		
Red pogy	X		White Grunt		
Red snapper	X	X	Sailor's Choice		
Snowy grouper	X		Tomtate		
Vermilion snapper	X	X	Margate		
Wreckfish	X		Red Hind		
Yellowtail Snapper	X	X	Rock Hind		
Gray Triggerfish		X	Yellowmouth Grouper		
Almaco Jack		X	Yellowfin Grouper		
Banded Rudderfish		X	Coney		

Lesser Amberjack		X	Graysby		
Atlantic Spadefish			Jolthead Porgy		
Bar Jack			Knobbed Porgy		
Scamp			Saucereye Porgy		
Speckled hind			Scup		
Warsaw grouper			Whitebone Porgy		
Goliath Grouper			Bank Sea Bass		
Nassau Grouper			Rock Sea Bass		
Cottonwick			Longspine Porgy		
Ocean Triggerfish					

**AP Comments and Recommendations:**

The following feedback and recommendations have been provided by the Snapper Grouper Recreational Permitting and Reporting AP:

**Vessel vs Individual Permit: Discuss the pros and cons of a vessel permit versus an individual permit.**

- **Potential cons of a vessel-based permit:**
  - Vessel registration number needs to be tied to permit to incorporate into existing FL State Reef Fish Survey framework.
    - U.S. Coast Guard documented vessels could be challenging to integrate with state registration framework. Would need additional work to make sure permitted vessels could be identified correctly in the field.
  - The Gulf of Mexico Region (GOM) has been focused on individual state-based permits:
    - Whether future GOM regional permits will be vessel or angler based is still undecided, but if individual it could be challenging to apply information across regions if the South Atlantic is a vessel-based permit.
  - The shore-based component may not be negligible for some Snapper Grouper species (gray snapper effort, gag grouper discards, etc.) and permit related improvements would be left out of a vessel-based permit.
  - Is the number of vessels going to be high enough to offset cost of implementing permit?
    - It was noted that any potential fees collected would not go directly towards the program.
  
- **Potential pros of a vessel-based permit:**
  - Less error prone to identify a vessel and whether there is a permit in place than an individual permit (i.e., a lower potential for non-sampling errors).
  - A vessel-based permit can be used to determine angler trips.
  - Vessel-based permits could lead to lower administrative burden due to the lower number of permits that would need to be issued (vs. individual).
  - See additional notes from the August 2022 meeting.

The following guidance was provided at the AP’s August 2022 meeting:

- **Permit Type:** *Recommend a vessel rather than individual permit since it helps reduce “the universe” of how many permits will need to be issued.*
  - Helps with survey design and validation.
  - Easier to write down vessel ID that is easily visible rather than require asking for individual permit number or paperwork.
  - Consistent with existing permits issued by SERO for commercial and for-hire vessels.
    - A vessel permit doesn’t create an impediment to integrate with other programs (such as MRIP).
    - Accuracy is improved by a vessel permit and may streamline questionnaire during interview if intercepted (ability to interview one representative for vessel or all anglers at once).

### **Scoping Comments:**

There were nine comments in favor of developing a private recreational permit and six comments in opposition. Commenters in favor of developing such a permit noted:

#### General comments:

- A permit is important to identify the number of anglers that are fishing for snapper grouper species.
- A permit should be implemented immediately to improve recreational data.
- A permit could help gather better information on the prevalence and use of gear types (such as the use of manual reels, electric reels, and spear fishing gear).
- Creating a permit is a recommendation of the Snapper Grouper Advisory Panel.

#### Vessel-based versus angler-based permit:

- Several comments were provided in favor of an angler-based permit.
- One commenter noted that an angler-based permit would provide a better “head count” of fishery participants. Another commenter noted that an angler-based permit would be consistent with the Florida State Reef Fish Angler Designation.

#### Species:

- Some commenters felt that a permit should cover all snapper grouper species.
- There were also comments in favor of covering the same species already falling under the Florida State Reef Fish Angler Designation.

#### Federal versus state permit:

- There were comments in favor of a federal-only permit, a federal permit where states could opt out if they create their own permit, and a state-only based permit with no federal component.
  - It was noted that the National Saltwater Angler Registry could provide a framework or example for how states could opt out of the federal permit if implementing their own state-based permit.
  - A commenter in favor of a state-only based permit noted that funds raised by such a permit could more effectively be directed to support fisheries management programs.

Commenters opposed to developing a private recreational permit noted:

- There are other ways to collect recreational data and a permit is an inappropriate response to poor data.

- A permit would be an additional tax on anglers.
- Do not want to grant more authority to federal fisheries managers and a federal permit would be government overreach.
- A federal permit would marginalize the fishing community and deter anglers from fishing. Particularly if a fee is charged.

#### **IPT Comments:**

- Regarding **Option 5**, the Council and NMFS can have the authority to cover fisheries taking place for federally managed species in state waters (i.e. shore and man-made modes or private vessels fishing in state waters) but would need very good rationale for including this fishing activity.
- Regarding the species covered (**Sub-options a through c**):
  - A recreational permit that does not encompass all species may be difficult to enforce.
  - Consider whether the Committee would like to continue including “assessed species” as a sub-option since this will be a moving target.
    - Will need to continue amending the list as species are assessed (i.e., scamp and yellowmouth grouper), if there are complications with an assessed species (i.e., an assessment gets rejected indefinitely), or there is a new harvest prohibition on an assessed species (i.e. currently a potential option for red snapper in Regulatory Amendment 35).
  - Consider the applicability of the Florida State Reef Fish Angler Designation to the South Atlantic region as a whole. The list of species may work well for the Gulf of Mexico but leaves out several noteworthy species in the South Atlantic such as the deepwater species (particularly snowy grouper, blueline tilefish, and golden tilefish) where there are known existing data deficiencies and black sea bass which supports an important fishery in the region.

#### **Committee Action:**

- CONSIDER PREVIOUS AP INPUT, SCOPING COMMENTS, AND IPT COMMENTS.
- PROVIDE GUIDANCE ON THE RANGE OF OPTIONS TO FURTHER DEVELOP.
  - **Permit type?**
    - A vessel-based permit (*Option 2*).
    - An angler-based permit.
      - All anglers fishing from a private vessel would need a permit (*Option 3*).
      - At least one angler on a vessel would need a permit (*Option 4*).
      - All anglers would need a permit regardless of where they are fishing (*Option 5*).
  - **Species covered by the permit?**
    - All species within the snapper grouper complex (*Sub-option a*).
    - Assessed stocks within the snapper grouper complex for which harvest is allowed (*Sub-option b*).
    - Match the species in Florida’s State Reef Fish Angler designation (*Sub-option c*).



## Option 2. Establish an education requirement to obtain a private recreational snapper grouper permit.

### Council guidance for scoping:

- Include options to:
  - Implement an education component (*Option 2*).
  - An education component could be:
    - Mandatory (*Sub-option 2a*), or
    - Voluntary (*Sub-option 2b*).
  - Would be implemented immediately when establishing a permit (*Sub-option 2c*)
  - Maintain the option to implement an education component in the future but not initially (*Sub-option 2d*).

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

**Option 2.** Establish an education component for private recreational anglers to fish for, harvest, or possess snapper grouper species in or from the South Atlantic exclusive economic zone. This education component would be:

**Sub-option 2a.** Mandatory for all private recreational anglers to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

**Sub-option 2b.** Voluntary for all private recreational anglers to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

**Sub-option 2c.** Implemented immediately when the private recreational permit is established.

**Sub-option 2d.** Delayed until a later date after the private recreational permit has been established. (Note: Council would need to specify how long of a delay)

### Discussion:

- **Sub-options 2a and 2b** specify whether an education component would be mandatory or voluntary.
  - **Sub-option 2a** would specify that the education component is mandatory.
  - **Sub-option 2b** would specify the education component is voluntary.
- **Sub-options 2c and 2d** address whether an education component would be implemented immediately with the permit or delayed until a later date.
  - **Sub-option 2c** would specify that the education component is implemented immediately.
  - **Sub-option 2d** would specify the education component is implemented at a later date. In this case, the Council would need to specify how long of a delay should occur for implementation.

### AP Comments and Recommendations:

The following feedback and recommendations have been provided by the Snapper Grouper Recreational Permitting and Reporting AP:

**Education Requirement: Weigh in on efficacy of an education certification as a proxy for a permit. Discuss mandatory versus voluntary measures.**

- *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?

**Scoping Comments:**

There were eight comments in favor of developing an education component and one comment in opposition. Commenters in favor of developing an education component noted:

General

- There was general support expressed for developing an education component.
- A commenter expressed support for developing a course on safe handling and release of fish prior to purchasing a state fishing license.
- A commenter noted that education is important but a course should be simple and quick to complete.
- Involve the Outreach and Communications Advisory Panel when developing materials.

Timing of implementation:

- Most comments were in favor of implementing an education component immediately as opposed to a delayed implementation.
  - One commenter noted that the Council should start to develop the education component as soon as possible and ahead of the permit implementation.
  - FWC has had discussions on an education component so there may be an opportunity to collaborate or pilot on a state basis.

Commenters opposed to developing an education component noted:

- An education component would be an additional tax on anglers.

**IPT Comments:**

- It would be helpful to specify whether the education component is going to be part of the process for obtaining a permit or if it could occur outside of the permitting process (i.e., the Council makes its own voluntary education certification). The Council is free to pursue its own voluntary education certificate at any time, similar to how it has already developed an angler outreach and education program.
  - If required or part of the permitting process, then an education component will likely need to be included and analyzed in this amendment.
  - If voluntary and falling outside of the permitting process, then it may not need to be included in this amendment.

**Committee Action:**

- CONSIDER PREVIOUS AP INPUT, SCOPING COMMENTS, AND IPT COMMENTS.
- PROVIDE GUIDANCE ON THE RANGE OF OPTIONS TO FURTHER DEVELOP.
  - Continue consideration of:
    - Implementing an education component (*Option 2*).
    - An education component could be:
      - Mandatory (*Sub-option 2a*), or
      - Voluntary (*Sub-option 2b*).
    - Would be implemented immediately when establishing a permit (*Sub-option 2c*)
    - Maintain the option to implement an education component in the future but not initially (*Sub-option 2d*).
  - Is the Council considering an education component that would fall outside of the permitting process and be voluntary?