

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 2024

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

Background

The South Atlantic Fishery Management Council (Council) has been developing Amendment 46 to the Snapper Grouper Fishery Management Plan (FMP), with the most recent review at the [June 2024 meeting](#). At that meeting, the Council reviewed recommendations from the Snapper Grouper Permitting and Reporting, Private Angler, and Outreach and Communication APs. The Council decided to table discussion of Amendment 46 until December 2024 and did not review actions in the amendment. In the meantime, the Council reviewed ongoing updates and re-envisioning of the Marine Recreational Information Program (MRIP) at the September 2024 meeting.

Since then, the Snapper Grouper Private Angler AP has reviewed the amendment to provide feedback to the Council. Summary feedback is captured later in this document in addition to feedback received from other Council APs and the interdisciplinary plan team (IPT). The full summary reports and recommendations that the Council has previously received on Amendment 46 can be found 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](#))
- Snapper Grouper Recreational Permitting and Reporting Advisory Panel ([Meeting 1](#), [Meeting 2](#), [Meeting 3](#), [Meeting 4](#), and [Meeting 5](#))
- Snapper Grouper Private Angler AP ([Meeting 1](#))
- Snapper Grouper AP ([Meeting 1](#) and [Meeting 2](#))
- Outreach and Communications AP (click [Meeting 1](#) and [Meeting 2](#))
- Law Enforcement AP (click [HERE](#))

Actions in this amendment

1. Establish a private recreational permit in the snapper grouper fishery
2. Specify the species that would 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 permit requirement based on permitting by the states

Objectives for this meeting

- Review AP and IPT feedback.
- Provide guidance on actions in the amendment.
 - Approve or refine changes to the actions and alternatives.
 - Provide feedback on potential exemptions to the permit or education requirements.

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 reviewed AP comments.
December 2024	Council reviews amendment and AP comments.
March 2025	Council reviews modifications to the amendment, selects preferred alternatives, and approves for public hearings.
Spring 2025	Conduct public hearings.
June 2025	Council reviews amendment and public hearing comments.
September 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 federal 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. PROVIDE FEEDBACK IF THERE ARE ANY DESIRED EDITS.

Actions in the Amendment

Action 1. Establish a federal 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 federal 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 establish a federal private recreational permit requirement for vessels or anglers in the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region.

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.

Preferred 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.

AP Comments and Recommendations:

Permitting and Reporting AP (April 2024):

RECOMMENDATION: The AP continues to recommend that a vessel-based permit would be superior to an angler-based permit from a technical perspective, logistical perspective, and for survey design. The net benefits to any subsequent improvements in private recreational catch and effort estimates from a vessel-based permit are likely going to be greater than those resulting from an angler-based permit.

RECOMMENDATION: The Council should consider addressing exemptions for a private recreational permit.

- Add language to the alternative or to the amendment document regarding expected exemptions or lack thereof.
- If the intent is that there are going to be exceptions, who is going to be exempt and what is the potential size of the group that is exempt?
 - What characteristics constitute whether an angler or vessel would need to get the permit?
- The fewer exemptions, the fewer adjustments/corrections that will need to be made. Ideally, there would be no exemptions but that is not likely going to be the case for an angler-based permit. Need to consider the impacts of exemptions on quality of effort and catch information that can be collected or estimated by an angler-based permit.

Private Angler AP (May 2024):

Purpose of a permit and planning:

- The Council should keep in mind what the vision for the future is after the permit is established. Will there be another amendment targeted toward data collection and reporting? If so, that will influence decisions made in this amendment.

Angler-based versus vessel-based permits:

- Satisfying the permit requirements should be the responsibility of the vessel operator, not necessarily the owner. It is also better in the long-run if the captain of the vessel is responsible for the education requirement and can better direct anglers onboard.
- A vessel-based permit would be a better option than an angler-based permit. If there is an angler-based permit, it may deter some people from participating.
- A vessel-based permit would be easier to keep track of and enforce on the water or at the boat ramp. There would be only one permit to check versus multiple permits if angler-based.

Snapper Grouper AP (October 2023):

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.
- 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 (**Preferred Alternative 3**).

Law Enforcement AP (January 2024):

- Generally, a vessel-based permit would be easier to enforce; however, there could be enforcement issues with vessel rental and delivery operations or if the vessel owner is not onboard.

IPT Comments:

- 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.
- A 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 or vessel owners to obtain a permit on short notice.

Committee Action:

- CONSIDER AP INPUT AND IPT COMMENTS RELATIVE TO THE PREFERRED ALTERNATIVE.

Action 2. Specify the species for which a federal private recreational snapper grouper permit would be required

Purpose of the Action: This action would specify the species that would be covered by a federal private recreational permit requirement in the snapper grouper fishery.

Alternative 1 (No Action). A federal private recreational permit does not apply to any snapper grouper species.

Preferred 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 55 species.
 - **Alternative 3** would cover 13 species.
 - **Alternative 4** would cover 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.

AP Comments and Recommendations:

Permitting and Reporting AP (April 2024 and August 2023):

RECOMMENDATION: 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.

Private Angler AP (May 2024):

- It is an unnecessary burden on fishermen to have to identify a subset of species that are covered under the permit. Also, if reporting eventually follows, it would be preferable to have the permit cover all species to facilitate reporting down the road.
- If the Council stays with all 55 snapper grouper species, consider implications for the Florida Reef Fish Survey. Would Florida have to expand their program to cover all 55 species to allow the state to opt out of the federal permit requirement?
- Including all snapper grouper species is a big ask.

Snapper Grouper AP (April & October 2023):

MOTION: Recommend that the council select Alternative 2 (all species within the snapper grouper complex).

Approved by AP (unanimous)

Law Enforcement AP (January 2024):

RECOMMENDATION: The permit should cover all snapper grouper species to make it more enforceable and improve compliance with the federal permit.

IPT Comments:

- **Alternatives 3 and 4** 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.
- Consider the future need for permitting based on species' distribution changes in a warming climate.

Committee Action:

- NO ACTION NEEDED. CONSIDER CONFIRMING THE PREFERRED ALTERNATIVE.

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

Purpose of the Action: This action is necessary to establish a required education component for private recreational permit holders 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 recreational permit holders to fish for, harvest, or possess snapper grouper species in the South Atlantic exclusive economic zone.

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 **required before FOR initial issuance** of a federal private recreational permit.

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 after** the federal private recreational permit requirement has been established.

Completion of the education component would be required:

Sub-alternative 3a. Before initial reissuance of the permit.

Sub-alternative 3b. When permit holders are required to complete the education requirement by the issuing authority.

Council guidance from the March 2024 meeting:

- Clarified that under **Sub-alternative 3b**, all applicable permit holders would be selected at the same time by NMFS or the appropriate state agency.
- Tasked the IPT to clarify whether the issuing authority of the education requirement can be federal, state, or both (depending on the outcome of Action 5).
 - Would it be possible to have one education course that could cover the whole region, regardless of whether administered by NMFS or a state agency?
 - Consider using the potential upcoming Florida exempted fishing permit education component as a template.

AP Comments and Recommendations:

Private Angler AP (November 2024):

Timing of an education course

- Most AP members felt that an education requirement needs to be required before initial issuance of a permit (**Action 3, Alternative 2**).

Other comments

- Most AP members expressed interest in some kind of reporting being associated with the permit.
 - It was noted that there is a range of possibilities when it comes to reporting. A reporting requirement could vary from reporting catch on every trip to reporting effort annually.
 - Some AP members felt that a permit needs a reporting requirement to be useful.
- The more substantial the education requirement, the more likely some anglers will be deterred from participating in the snapper grouper fishery. This notion supports a vessel-based permit as opposed to an angler-based permit. There are similar considerations for an education requirement that can be readily satisfied.
 - Noted that many first time or irregular anglers participating in the snapper grouper fishery are often invited on fishing trips on short-notice. Not being able to satisfy a permit or education requirement is going to deter this type of angler from fishing.
- The Council needs to clarify exemptions and how lifetime license holders will be addressed under the new permit requirement.

Outreach and Communications AP (May 2024):

Establishing an education component:

RECOMMENDATION: The AP reiterated that the education component should be required before issuing the permit and should be available online.

- A grace period should be provided for the permit requirement.
- Continued support for considering education components of other programs, especially [Return 'Em Right](#) and FWC's current development of an education course for the Red Snapper Exempted Fishing Permit.

Program scope:

RECOMMENDATION: Attempt to estimate the total number of permits that would be required in the region. This effort would (1) help provide for a better quote on the extent of services that may be needed from potential contractors and (2) validate how well fisheries managers have a handle on the number of participants there currently are in the fishery.

- The AP reiterated this is a HUGE project and will require funding and oversight that exceeds Council staff capacity.
- Collaboration for enforcement should be considered.
- NOAA Fisheries would be the agency to handle the scope of the education program, implementation, and responsibility to maintain the program.
 - Could consider private contractor similar to other NMFS education required programs (HMS).
- Reiterated the need to have the AP and partners lead the development of education materials.
- AP also noted the scope of the project and need for dedicated funding:

Permitting and Reporting AP (August 2022, May 2023, and April 2024):

- For **Action 3, Alternative 2** – the wording is a bit confusing in relation to “required before initial issuance”. Consider clarifying and revising this language. Perhaps “the education component would be required *with initial issuance*...”

- If no reporting requirement is implemented, it is still of value to inform people of the importance of participating in the dockside or mail-based survey.
- Outreach efforts and education materials should explain why this permit is being established. State the benefits of the permit in terms of data collection so permit holders understand the purpose and what could be gained by anglers as well as managers.
- 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.

Snapper Grouper AP (October 2023):

RECOMMENDATION: 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.

Law Enforcement AP (January 2024):

RECOMMENDATION: The 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.

IPT Comments:

- In **Alternative 2**, suggest changing “before” to “for”.
- In response to the Council’s request from March 2024: It would be possible to have one education course that could cover the whole region.
 - However, the contents and details of the education requirement need to be specified by the Council and be made standard for the whole region. The issuing authority would partially depend on the Council’s decisions made in Action 5.
 - There needs to be a standard set of education materials. Some of the items identified by the Council, such as Special Management Zones and Marine Protected Areas (MPAs) are location-specific, which could be unnecessary depending on where the permit holder is located. For example, it seems unnecessary to educate anglers in North Carolina about MPAs off of Florida.
- If the Council chooses a vessel based permit, who would be required to satisfy the requirement? All permit holders? Only the vessel operator?
 - This should be specified by the Council.

Committee Action:

- CONSIDER AP INPUT AND IPT COMMENTS.
 - Discuss whether to accept the suggested IPT edit to **Alternative 2**.

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 **ONLY upon initial issuance** of a federal private recreational snapper grouper permit.

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

Council guidance from the March meeting:

- 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 and how to record information and report properly.

AP Comments and Recommendations:

Private Angler AP (November 2024):

How often an education course needs to be completed

- AP members suggested communicating with state agencies regarding the efficacy of existing “one-time only” education requirements such as boating or hunter safety courses.
- Some AP members felt that an initial education course with a refresher if education materials are updated was appropriate (**Action 4, Alternative 5**).

- Noted that it makes sense to keep anglers up to date on changing regulations, best practices, etc.
- Other AP members noted that communicating the need for all permit holders to re-complete an education requirement at an unspecified date (**Action 4, Alternative 5**) is going to be a challenge and that a known, regular interval would be better.
 - Unless there is a way to effectively communicate when the education component is updated, then the requirement should be one-time only or once a year (**Action 4, Alternative 2** or **Alternative 4**).

Considerations for how long an education module should take to complete

- If the education component is designed as a “one-time only” requirement, it should be developed as a longer and more complete education course.
 - The design of the education requirement should be a tradeoff between the timing and frequency of it and the length and level of detail required for the permit holder to complete.
 - The length of time to complete a course should be inverse to how often the course needs to be taken.
 - A “one-time only” requirement should be longer than a course that is renewed annually.
 - If taken multiple times, the initial course could be longer while a refresher course should be shorter.
- Opinions varied on the maximum amount of time an education course should take to complete.
 - If “one-time only” or the initial course, times mentioned included:
 - No more than 15 minutes, 20 minutes, 30 minutes to an hour, and 1-2 hours.
 - If the education requirement is annual or a “refresher course” then suggested times were considerably shorter.
 - Suggestions were around 15 minutes.
 - Also, the education course length recommendation may vary depending on the permit type, with more time being reasonable for an education requirement associated with a vessel-based permit, whereas the course should be shorter for an angler-based permit.

Components of education requirement:

- Prioritize content on best fishing practices (BFP) and barotrauma mitigation in the education materials. The purpose and need of this permit is partially to reduce recreational fishing mortality.
- Agree with OC AP’s recent recommendations. The current list of topics that the Council identified at the March 2024 meeting is too lengthy. Need to streamline to BFP and descending device use.
- Include information on why the permit and education requirement is important. People will want to know why they are being asked to do it.
- Outreach is going to be very important – have dedicated staff or ambassadors and demonstrate the education module.

- Consider the opportunity to have in-person education as well as an online course.
 - Would go a long way to rebuilding trust with recreational fishing community.
 - Potentially “get credit” for attending a Council-based best fishing practices outreach event. Attending an event would satisfy the education requirement.

Example programs and education materials

- Examine how the Highly Migratory Species private recreational permit and education requirement is designed.
- The Florida Fish and Wildlife Conservation Commission shore-based shark fishing permit also includes a required online educational course online.
 - When the permit is renewed annually, there is a shorter associated education module.
- Also consider education materials developed for the exempted fishing permit for red snapper in Florida and Return Em Right.

Outreach and Communications AP (May 2024):

RECOMMENDATION: An online course should be developed (suggestions included 3-5 minutes, 7-10 minutes, up to 15 minutes) for the initial permit and a shorter online course for annual permit renewal.

- The AP strongly supported building in benchmarks for the course rather than a quiz at the end. Little support for “pass/fail” approaches.
- Include background information on why the permit is required and how the information will be used in fisheries management.
- Evaluation is essential.
 - Consider an evaluation component after a certain amount of time (e.g., 2 years).
- Annual permit renewal reminders will be needed that include information on the education requirements.

List of Topics for the Educational Component

- General agreement that the draft list of topics identified at the March 2024 Council meeting is too ambitious considering the length of time suggested for an online module.
 - Consider removing Fish ID and How to Measure a Fish.
 - Have a downloadable component for these topics or link to other sources.
 - Consider a reference booklet mailed to those completing the test to keep on the boat.
 - Focus on barotrauma and regulations in place to help released fish survive.
- Have information available in an engaging way with video and graphics.
 - Use a “story” approach to convey concepts, e.g., a fishing trip.
- Include information on how recreational fishing pressure can impact stocks.
- Strong support to involve AP, state partners, Sea Grant, and other agencies in developing the education module.

Permitting and Reporting AP (April 2024):

- All information on the list that the Council compiled in March 2024 is relevant but is a lot of information. HMS has a compliance guide that the public can download. Something similar to that strategy may be helpful to consider so the education course is not too long.

- This may also help allay some of the concerns regarding whether every angler on the vessel will have the pertinent information if the permit ends up being vessel-based.

Law Enforcement AP (January 2024):

- Education could focus on the most common violations and gear requirements and would be most effective if agencies coordinate with each other (e.g., HMS, state regulations, etc.).
 - Most common observed violations that could be addressed through better education include hook and descending device requirements as well as MPA and SMZ locations and regulations.
 - Would help to provide links to resources on regulations such as Fish Rules, agency websites, the Council website, etc.
 - Making permit holders aware of new regulations each year would help with compliance.

Snapper Grouper AP (April 2023):

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

IPT Comments:

- The Council will need to specify additional details of how to develop an education component such as who will be developing the materials? What is the content? What will be the format (video? test?)? Etc.
 - Does the Council intend to be responsible for developing and maintaining the education materials?
- An education component would trigger the Paperwork 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.
- Try to keep the education module short and refer to other resources (such as Fish Rules).
- Consider the purpose and need in regard to the education requirement. Currently the purpose is to “promote best recreational fishing practices”. If that is the intent, then the list of topics should focus on that purpose.
- Add “only” to **Alternative 4** to help differentiate it from **Alternative 5**.
 - For **Alternative 5**, what would be an update significant enough to trigger everyone re-taking the education module?

Committee Action:

- CONSIDER AP INPUT AND IPT COMMENTS.
 - Discuss whether to accept the suggested IPT edit to **Alternative 4**.

Action 5. Establish an exemption to the federal private recreational snapper grouper permit and education requirements based on permitting and education 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 and education requirements provided that similar measures were enacted for state-based permit and education requirements.

Alternative 1 (No Action). Do not establish an exemption to the federal private recreational snapper grouper permit and education requirements 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 and education requirements. The National Marine Fisheries Service would certify a state permit and education component as equivalent to a federal private recreational snapper grouper permit and education component 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.

Council guidance from the March meeting:

- Direct the IPT to reword the action title to integrate an exemption from both a federal permit and education requirement. If wording for a state exemption also needs to be added to the actions covering the education requirement, also make changes accordingly.
 - Also make sure that this is integrated into **Action 5** itself. If a state education course meets the federal requirements then it could be exempt from the federal requirement.
 - Add state-specific options for **Sub-alternative 2b** that would accommodate the existing Florida State Reef Fish Survey.
- Additional rationale for the action: Allowing states to be exempt from the federal permit and education requirement would take advantage of existing or upcoming state infrastructure, thereby reducing costs. Also such an exemption would alleviate duplicate permitting so permit holders would not need to obtain both a state and federal permit covering the same topic.

AP Comments and Recommendations:

Private Angler AP (May and November 2024):

- There was no consensus among AP members whether state or federal agencies would be better able to administer a permit requirement.
 - Many AP members felt that states are better equipped to administer a permit, but others did not.

- It was noted that if a permit requirement is established, it will likely remain indefinitely.
 - It would be preferable if the permit could be an endorsement on the existing saltwater fishing license rather than requiring anglers to obtain a separate permit.
 - States already have apps and saltwater licensing infrastructure that anglers are used to, so it would make compliance much easier.
- Some AP members felt that it would be easier for anglers if state agencies administered the permit.
 - Anglers are often more trusting of state agencies.
- Maintain the option for the federal permit exemption to avoid dual permitting for the snapper grouper fishery. Dual permitting would be overwhelming for anglers and would likely compromise existing state efforts as well as the federal effort to improve recreational data.
- If there is a state exemption, then there needs to be reciprocity between states on the permit and education requirement. A permit from one state should work in all states in the Southeast.

Permitting and Reporting AP (August 2023 and April 2024):

RECOMMENDATION: The AP would like to add Sub-Alternative 2d to the existing recommendation. The new AP recommendation will be to recommend Alternative 2, Sub-alternatives 2a, 2b, 2c, and 2d in Action 5.

Outreach and Communications AP (May 2024):

- General support for a single universal education module and requirement.
- Important to have a standard education module that states could use. A state could add information separately if needed but the core materials would be the same between the federal and state programs.

Snapper Grouper AP (October 2023):

- 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?

Law Enforcement AP (January 2024):

- Possible issues with vessels landing in different states so it would be better to have one permit for the EEZ.
 - What happens in the EEZ is going to be difficult to verify at the state level (i.e., a vessel or angler departing from one state but fishing in the EEZ off an adjacent state or a vessel from a state that has a federal permit exemption launching in a state without an exemption), so a single permit would be much easier to enforce.
- While a single permit is preferred, law enforcement officers are already looking for state and federal permits where applicable.

IPT Comments:

- The state requirements would need to be the same as what the federal agency is requiring. If requirements are not the same, there will be compatibility issues and problems with using the data for the intended purpose of the amendment (i.e., see purpose and need statements).
 - If **Alternative 2** is selected as preferred, and the Council doesn't also select **Sub-Alternatives 2a-2d**, then it likely will conflict with the earlier actions.
 - Need clarification on **Sub-Alternative 2b**: It would be helpful to have additional guidance from Council. If different species are selected compared to those selected in Action 2, effort estimation may be compromised. Not having the same standard species across the region could compromise the utility of the permit.
 - Suggest that the species in **Sub-Alternative 2b** match what is selected in Action 2.
- The next steps for sampling or reporting need to be considered when choosing a preferred alternative. If there is going to be additional data collection after the amendment is put in place, then all species, permitting requirements, and education components need to line up.
 - There also needs to be consideration of existing or future exemptions. What are the exemptions. Will these differ between states?
- If a federal permit exemption is allowed, some states may need to change their licensing program. Also, would need to set a timeframe for when permit information will be made available to MRIP so the sampling framework can be updated.

Committee Action:

- CONSIDER AP INPUT AND IPT COMMENTS.
 - Discuss whether to accept the suggested IPT edits to the action and alternatives.

Committee Action:

- **DRAFT MOTION:** APPROVE AMENDMENT 46 AND ALL ACTIONS, AS REVISED, FOR FURTHER DEVELOPMENT.
 - DIRECT STAFF TO PREPARE AMENDMENT 46 FOR CONSIDERATION OF APPROVAL FOR PUBLIC HEARINGS AT THE MARCH 2025 COUNCIL MEETING.