

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
June 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 March 2024 meeting. At that meeting, the Council provided [direction](#) on actions and alternatives in the amendment as well as direction on advisory panel (AP) review. Since then, the Snapper Grouper Permitting and Reporting, Private Angler, and Outreach and Communication APs as well as the interdisciplinary plan team (IPT) have 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. 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](#), and [Meeting 4](#))
- Snapper Grouper AP ([Meeting 1](#), [Meeting 2](#))
- Outreach and Communications AP (click [HERE](#))
- 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 amendment and Law Enforcement AP comments.
✓Spring 2024	Review by Snapper Grouper Permitting and Reporting, Private Angler, and Outreach and Communications APs.
June 2024	Council review of amendment and AP comments.
September 2024	Council reviews modifications to the amendment, selects preferred alternatives, and approves for public hearings.
Fall 2024	Conduct public hearings.
December 2024	Council reviews amendment and public hearing comments.
March 2025	Council reviews final draft of amendment and considers approval for formal review.
2026/2027 (TBD)	Regulation changes effective.

Purpose and Need statements

The purpose of the amendment is to develop a recreational permitting system that will identify the universe of private anglers or vessels targeting South Atlantic snapper grouper species and will enhance the ability to collect recreational effort and catch data. Also work to promote best recreational fishing practices through education.

The need for the amendment is to improve the quality of effort and catch data for the private component of the recreational sector that targets South Atlantic snapper grouper species, while minimizing, to the extent practicable, adverse social and economic effects. Also improve education on best fishing practices.

Committee Action:

- NO ACTION NEEDED. PROVIDE FEEDBACK IF THERE ARE ANY DESIRED EDITS.

Actions in the Amendment

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

Purpose of the Action: This action is necessary to establish a private recreational permit requirement in the snapper grouper fishery and determine whether the permit will be issued to a vessel or an angler.

Alternative 1 (No Action). Do not establish a 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.

Angler-based versus vessel-based permits:

- If the permit were vessel-based, it would create a gap in the information collected regarding the participants on the vessel. Such participant level information would be harder to obtain.
- If the permit were vessel-based, it may not fit as well with the intent of the education component since presumably the wider the exposure of the education materials, the better.
- The existing recommendation for a vessel-based permit is still preferable, even when paired with an education requirement. If there is an education requirement, that would still be relevant to the permit holder regardless of whether the permit is angler-based or vessel-based.
 - Regardless of the permit type, compliance is going to require a lot of outreach to get to a level of compliance that is acceptable.
- If the permit is angler-based, it could be used to cover individuals fishing from shore if states become involved via the exemption to federal requirements in Action 5. This opens up other dimensions and challenges for permitting and sampling.
 - May not be able to expect every shore angler to obtain the permit so it could be challenging to implement covering shore mode with this permit.
 - As noted previously, the Council doesn't have the authority to require this permit for shore-based anglers. The federal permit is just for fishing in the EEZ.
- States conducting Access Point Angler Intercept Survey (APAIS) surveying do not currently ask about licenses. Would need to reframe questionnaires to capture whether an angler has the angler-based snapper grouper permit.
 - Can be a touchy subject as it gives the perception that dockside samplers are determining whether an angler is legally fishing. Need to make it clear that this sort of determination is left up to law enforcement officers and not samplers.
- Vessel ID is already a component of APAIS. Thus, a vessel-based permit would not be an impediment to integrate into existing sampling programs and could be verified with existing APAIS related surveying.

Exemptions for permitting:

- It is not uncommon for angler-based permitting or licensing systems to have multiple exemptions (e.g., seniors, military, youth, etc.) and to not be issued on an annual basis (e.g. lifetime fishing license). The Council may want to consider re-phrasing "all private anglers" in **Preferred Alternative 3** to reflect exemptions and specify whether there is the intent to provide exemptions that are common occurrences for saltwater fishing licenses.
- A vessel-based permit likely avoids exemptions, particularly those that traditionally are granted for angler-based licenses.
- If the Council chooses to proceed with an angler-based permit, the fewer exemptions made the better, since fewer adjustment or correction factors will need to be applied.
 - Subsequent actions from federal or state management agencies will be needed to consider how to account for exemptions as well as whether changes to the dockside survey or how it is conducted are necessary.
- There is always going to be under-coverage for any permit and there will need to be a way to account for that eventually using correction factors.

- In Florida, there are exemptions for the state saltwater fishing license but requirements for a State Reef Fish Angler designation closes the loop on many of those exemptions. The endorsement still does not cover anglers under 16 years old. During intercept surveys, anglers are asked whether they have the State Reef Fish Angler designation which helps with determining non-coverage correction factors.
 - Exemptions may create a notable difference in how subsequent surveying is conducted and will need to be considered. NC, SC, and GA conduct a standard APAIS survey and have similar exemptions in place for saltwater fishing licenses. Need to make sure sampling and resulting recreational data are compatible across the South Atlantic Region.

Rental vessels, boat club vessels, and circumstances where a vessel owner may not be present on a vessel:

- Boat clubs and rental vessels may not be a notable issue in relation to vessel-based permitting as many of these vessels are likely operating inshore or nearshore waters rather than the EEZ.
- Effort from these vessels directed specifically towards snapper grouper species in the EEZ is likely going to be a very small percentage of overall private recreational effort.
- The vessel owner not being present on a vessel is a situation that not only exists for boat club vessels, but could also potentially apply to any vessel.

Private Angler AP (May 2024):

Purpose of a permit and planning:

- The Council will need to consider the purpose of the permit and how it will be used. It is important to make sure that anglers understand this.
- 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.

Perception of a permit, building trust, and messaging:

- Anglers young and old have lost trust in the Council and NOAA. People may be willing to get a permit, but they may not provide survey or intercept data unless they trust the process. Need to educate and reassure anglers that managers are not out to take more of their fish away.
- Gaining back trust starts with this permit. This is an opportunity to rebuild trust. Communicating clearly how this permit is going to get recreational data back on track is very important.
- The premise for the permit is that data that have been gathered are often not accurate or dependable but there have been restrictive rules and regulations put in place based on these data. That's a difficult premise and phrase to hear because restrictions are being placed on fishermen with data that are not adequate.
- This permit will be viewed by some as a constraint. The Council is implementing a restriction that will likely make people pay for a permit to do what they have already been doing for years, there may be an additional education requirement that will take time to satisfy, and there is not going to be reporting that allows anglers to state what they are catching.

- It would be helpful if the Council reinforces that they are not considering reporting in Amendment 46 and that the permit is not asking anglers for any additional data at this point. Need to focus on task of “narrowing the universe” of anglers. Data collection methodologies that already exist will remain in place but can be improved with the implementation of a permit.
- It needs to be clarified that the intent of this permit is not to restrict access and that the permit would be open access, posing no limits on the number of anglers. Creation of this permit is in pursuit of better effort and catch estimates that will lead to prevention of future access restrictions. If we do not get better estimates, the Council will be left with fewer options and may have to consider alternatives that include access restrictions.
- Most people that fish offshore are going to get the permit even if they do not intend to fish for snapper grouper species. So you are likely to capture snapper grouper fishery participants but others may have the permit as well (oversubscription). It may not reduce your sample size all that much over the existing sample.

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.
 - This may make it easier for law enforcement. The details of how this could be enforced would be a good topic for further discussion from the Law Enforcement AP.
- 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. There are a lot of people who participate infrequently and if they must jump through a bunch of regulatory hoops to participate in the fishery, they may be deterred from participating all together.
- A lot of anglers tend to not be as experienced in fishing and fish ID as vessel owners. There’s a degree of additional responsibility that comes with being in charge of operating a vessel. A vessel-based permit would improve any subsequent sampling or data collection from a fishing trip compared to an angler-based permit. Also vessel-based makes more sense if there is not a reporting requirement.
- There are a lot of anglers who fish for snapper grouper species only once every few years. They are going to fall in and out of the permit database quite often. If you want better data, make the permit be vessel-based.
- 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.

Rental vessels, boat club vessels, and circumstances where a vessel owner may not be present on a vessel:

- Boat club vessels are not likely going to be a major concern. Boat club vessel operators must be certified and there are often restrictions on how far offshore they can go.
- There are more and more rental boat companies out there and some have boats that are fishing for snapper grouper species in federal and state waters. In some scenarios it would be unclear who is responsible for getting the permit.
- In South Carolina, boat club vessels are likely not going to be an issue and do not foresee them becoming very prevalent in the snapper grouper fishery.

- In northern Florida boat club vessels do not often go offshore to target snapper grouper species.
- In North Carolina the number of rental or boat club vessels active in the snapper grouper fishery is likely very small.

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**).
- 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 (**Preferred 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.

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.
 - I.e., determining who would be issued a violation since the permit holder is not likely onboard the vessel and could be a corporate entity.
 - For commercial permits, the vessel owner is held responsible.
 - A vessel permit could be verified at a distance by looking at the vessel ID rather than verifying that each angler has a permit.
 - The type of permit should depend on the Council's intent for creating the permit. Improving recreational data? Counting how many snapper grouper anglers there are each year? Improve education? Etc.

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.

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). 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 all snapper grouper species found within the management unit (55 species).
 - **Alternative 3** would cover the species that currently 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).
- Additional analysis on harvest estimates for commonly caught recreational species and the associated percent standard error (PSEs) is provided in the Appendix.

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.

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.

Requested input on improving estimates of catch specifically for deepwater species:

- The permit by itself (i.e. no subsequent reporting or targeted sampling) would provide a modest improvement at best in terms of precision on the recreational effort estimate. Making the sampling more efficient (e.g., additional dockside sampling or a dedicated deepwater species sampling program) would likely be needed to notably improve estimates for these species.
- However, there are alternative estimation approaches using data-aggregation that are being explored. The permit could provide an auxiliary data source that could improve this modeling approach, but this would need to be further evaluated.
- Deepwater species would lend themselves very well to a specialized sampling framework since they are almost all caught within the EEZ. For the effort component, a specialized survey would be feasible. The harder part would be addressing how to improve the intercept survey for these species (e.g., specific sites and times of year to target places where those species are being landed).
- As encounters become more and more rare, specialized surveys would be needed. A census program (i.e. mandatory reporting) would be needed if species are exceedingly rare and may not work out if species aren’t being targeted.

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.
- The number of species covered is likely to affect estimates of participation. The species covered could influence the universe of anglers and how well they represent actual participants in the fishery.
- 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. Anglers would be more receptive if there was no cost associated with the permit. Many in the recreational fishing community see NOAA and the Council as picking away at species after species that can no longer be harvested or that have severe restrictions on harvest.
- A concern with including all snapper grouper species is that some species are caught differently than others and may be caught incidentally (e.g. Greater Amberjack are caught at times when trolling for highly migratory species). You may be requiring people to get a

permit that do not participate in the snapper grouper fishery but incidentally interact with some of the species. This may affect your ability to measure the “true” number of participants in the fishery.

- Gray snapper is a potential issue in Florida because you can catch them inshore easily as well as in federal waters. This is an example of a species that is difficult to place. What does the Council really want? Is it to count the number of people who are *targeting* snapper grouper species or people who are *catching* the species. Also is the intent to eventually require people to report?

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)

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.

Law Enforcement AP (January 2024):

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

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:

- CONSIDER AP INPUT AND IPT COMMENTS.

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 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 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 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 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:

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.
 - Will require program coordination and additional staff.
 - Noted logistical issues with existing online education programs in dealing with incomplete modules, confirmation numbers for participant IDs, multiple IP addresses, etc.
 - These issues must be monitored and require dedicated staff to do so.
- 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.
- Learning doesn’t necessarily incite behavior changes. Consider multiple facets to the program, similar to Return ‘Em Right, e.g., use of communication techniques through social media, etc. to encourage behavior changes.
- AP also noted the scope of the project and need for dedicated funding:
 - FL State Reef Fish Survey – Includes 628,826 permits (SA and Gulf) as of 4/17
 - Note that no education component is required, but exemptions exist for those under the age of 16.
 - Amendment 46 SG permit and education requirements could exceed the Florida SRFS in numbers in comparison.
 - \$20M funding dedicated for Return ‘Em Right Program.

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.
 - How it is useful and helpful for fisheries management?
- 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.
 - 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?

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.
 - It could be set up like this, but 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:

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.

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.
 - Any approach should meet the goals for the education course.
- Module should not allow ability to skip questions or sections.
- Users should have the ability to retake sections of the education module.
- Consider those with learning disabilities. Particularly if a test is involved (ADA requirements).
- Have module available in other languages.
- Include background information on why the permit is required and how the information will be used in fisheries management.
- Different online platforms can be tailored for the online module. Consider if the program goals are being addressed based on the platform chosen and materials covered.
- 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.
 - Remind fishermen that not all SG species need a descending device or to be vented when caught (i.e. certain species and when fishing in shallow water). Include information to help fishermen recognize the signs of barotrauma because not all fish may need treatment.
- 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.
 - Regardless of timing for implementation of the education component, it may be useful to also consider a compliance guide. 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.
- Concern about an education requirement being too easy to complete and people finding ways to “game the system”. Consider a test of sorts or at least make a digital signature or recognition that verifies the permit holder has received the information on regulations.
 - Digital signature or verification could also help with litigation of violations.

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:

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.

- The question was posed: What could be the consequences of different sampling frames/species that could compromise certification or potential validity for use in management? e.g., SRFS doesn't include black sea bass.
 - The Council needs to determine the permit's intended utility. Is it for the entire complex?
 - States are starting to look at changing or implementing programs of their own but they may also want to rely on a federal permit to help guide these decisions as they relate specifically to snapper grouper species.
- Another question was posed: What if the Council goes with vessel-based permit and current state programs (i.e., SRFS) are angler-based? How can this be reconciled? What does "equivalent" mean? The same applies to the species covered by the permit.
 - Ideally, non-sampling error should be minimized, and it is hard to know how much of a difference there would be between vessel- and angler-based permits across the region.
 - SRFS shouldn't necessarily be the limiting factor for a larger program that would benefit the whole region. While the details and appetite for extensive change would need to be further discussed internally, it is possible that Florida could adjust the existing SRFS program to some extent if needed.
 - A vessel-based permit could potentially lead to improvements to SFRS sampling and decrease regulatory burden on anglers. It would be a challenge to update the program but potentially feasible depending on resources.
 - Consider a new sub-alternative or add documentation in the amendment to capture that existing programs could be adjusted to meet the federal permitting guidelines.
 - If it is the Council's intent that the species would not need to line up exactly with the species chosen in Action 2, this needs to be clarified in regard to selection of **Sub-alternative 2b**.

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.

Private Angler AP (May 2024):

- If this requirement is established, it will likely never go away. 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. This would help make it as non-invasive and non-restrictive as possible.
- It would be easier if state agencies administered the permit. States already have apps and saltwater licensing infrastructure that anglers are used to, so it would make compliance much easier.

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 SEPTEMBER 2024 COUNCIL MEETING.

APPENDIX: Summary Analysis of Harvest Estimates for Commonly Caught Recreational Species and Associated PSEs.

- **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 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