

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

Discussion Document
Snapper Grouper Advisory Panel
October 2023

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

Background

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

- Joint Council Workgroup on Section 102 of the Modern Fish Act (click [HERE](#))
- Private Recreational Reporting Working Group recommendations (click [HERE](#))
- Private Recreational Permitting AP ([Meeting 1](#), [Meeting 2](#), [Meeting 3](#), and [Meeting 4](#))

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

The 2016-2020 Vision Blueprint for the Snapper Grouper Fishery (Vision Blueprint) was approved in December 2015 and was intended to inform management of the Snapper Grouper fishery through 2020. The Vision Blueprint was also intended to serve as a “living document” to help guide future management, building on stakeholder input. The Vision Blueprint is organized into four strategic goal areas: (1) Science, (2) Management, (3) Communication, and (4) Governance. Each goal area has a set of objectives, strategies, and actions. The potential actions in Amendment 46 correspond to different objectives and strategies in the Vision Blueprint.

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

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

Recent Council actions in 2022 and 2023

At their March 2022 meeting, the Council reviewed background information, recommendations from the workgroup, and directed staff to assemble candidates for an ad hoc AP to be selected in June 2022. The Council then reviewed recommendations from the first meeting of the AP at its September 2022 meeting. At the December 2022 meeting, the Council narrowed the scope of the amendment to focus on development of a permit for the private component of the recreational sector and creation of an education component. Additionally, the Council approved the amendment for scoping which was held in January and February 2023. The Council has further refined options within the amendment at their subsequent meetings.

Private recreational reporting was removed from further consideration in Amendment 46 at the December 2022 meeting. While reporting may be considered in a different amendment, the Council expressed interest in timely implementation of Amendment 46 as well as the notable

potential benefits of implementing a permit which may include better identifying the universe of private anglers or vessels targeting snapper grouper species and enhancing the ability to collect recreational effort and catch data within existing programs such as the Marine Recreational Information Program (MRIP).

Potential actions in this amendment

- Permit related actions (Actions 1 through 3)
 1. Establish a private recreational permit in the snapper grouper fishery
 2. Specify the species that will be covered
 3. Establish a mechanism for states to opt out of federal permit requirement
- Education component related actions (Actions 4 through 6)
 4. Establish an education component
 5. Specify the timing of implementation
 6. Specify the length of time that an education component will remain valid

Objectives for this meeting

- Gather feedback and provide recommendations on permit and education-related actions being considered in the amendment.

Tentative amendment timing

✓December 2022	Reviewed options paper and approved amendment for scoping.
✓Winter 2023	Conducted scoping.
✓March 2023	Review scoping comments and provide guidance on the amendment.
✓April/May 2023	Gather initial feedback from the Permit and Reporting AP and Snapper Grouper AP.
✓June 2023	Review amendment and AP comments.
✓August 15, 2023	Permit and Reporting AP meeting
✓September 2023	Review amendment and preliminary analyses
October 2023	Advisory Panel review
December 2023	Review modifications to the amendment, select preferred alternatives, and approve for public hearings.
Winter 2023/24	Conduct public hearings. Gather detailed feedback from the APs.
March 2024	Review amendment, public hearing comments, and AP comments.
June 2024	Review final draft of amendment and consider approval for formal review.
2025/2026 (TBD)	Regulation changes effective.

Purpose and Need

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

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

Actions in the amendment

Permit-related actions (Actions 1-3)

Action 1. Establish a private recreational snapper grouper permit to fish for, harvest, or possess snapper grouper species in the South Atlantic region

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

Alternative	A federal private recreational permit would be required for:
Alternative 1 (No Action)	A federal permit is not required for a private angler or vessel when fishing for snapper grouper species in the South Atlantic region.
Alternative 2	<u>Any vessel</u> participating in the private angler component of the snapper grouper fishery.
Alternative 3	<u>Any angler</u> participating in the private angler component of the snapper grouper fishery.

Previous AP Comments and Recommendations:

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

- The AP reiterated support for a consistent approach to permitting throughout the region to maximize the utility of a private recreational permit.
- Either an angler or vessel based permit can be integrated into the existing or potential new sampling and survey framework within the Marine Recreational Information Program (MRIP).
 - There is not much difference in the level of improvements that would occur between the two permit types. Both permit types offer a structure level gain in the precision of estimates. From there, additional design changes would determine whether one permit type is better than the other.
 - A vessel based permit does not create an impediment since MRIP utilizes a household based sampling framework. As long as address information is included in the permit information, either type of permit can be utilized.
- There are net advantages for a vessel based permit over an angler based permit.
 - Whether using the existing MRIP Access Point Angler Intercept Survey (APAIS) or a potential new sampling framework, the vessel ID is readily available to identify the permit holder.

- Easy to identify for the field sampler and easier for permit holder since each angler would not need to be asked for additional documentation (i.e. their permit information).
- If a census level reporting approach for some species were to be implemented in the future, a vessel based permit would be better.

Recommendation on Action 1

- When weighing benefits and drawbacks of each permit type, “on net” a vessel-based permit is preferable.
- The AP recommends **Alternative 2** in **Action 1**.

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

MOTION: THE SNAPPER GROUPE AP RECOMMENDS A VESSEL-BASED RATHER THAN AN INDIVIDUAL ANGLER-BASED PERMIT BE REQUIRED FOR THE PRIVATE COMPONENT OF THE RECREATIONAL SECTOR IN AMENDMENT 46.
APPROVED BY AP (UNANIMOUS)

ADDITIONAL CONTEXT FOR MOTION:
RECOMMEND **ALTERNATIVE 2** IN **ACTION 1**.

General Comments:

- A vessel-based permit would help identify the universe of participants and is consistent with existing federal permits issued in the Southeast.
 - The vessel owner is typically the one taking people out fishing and the responsible party for the trip.
- The logistics of implementing a vessel based permit program would likely be easier than an angler-based permit due to fewer permits that would need to be issued.

Question for the AP:

- Is the AP still comfortable with previous recommendations and comments on **Action 1**?

Action 2. Specify the species that would be covered by a private recreational snapper grouper permit

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

Alternative	A federal private recreational permit would be required to fish for, harvest, or possess the following species:
Alternative 1 (No Action)	A federal permit is not required for a private angler or vessel when fishing for snapper grouper species in the South Atlantic region.
Alternative 2	<u>Any species</u> in the snapper grouper fishery management unit.
Alternative 3	Any species that is also <u>covered by the Florida State Reef Fish Survey</u> .
Alternative 4	Any species in the <u>deepwater complex</u> .

Discussion:

- The full list of species within the snapper grouper fishery management unit is provided in **Table 1**.

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

Species	FL SRFS	DW Complex	Species	FL SRFS	DW Complex
Black grouper	X		Golden tilefish		
Gag	X		Gray snapper		
Greater amberjack	X		Graysby		
Hogfish	X		Jolthead porgy		
Mutton snapper	X		Knobbed porgy		
Red grouper	X		Lane snapper		
Red snapper	X		Longspine porgy		
Vermilion snapper	X		Margate		
Yellowtail snapper	X		Nassau grouper		
Banded rudderfish	X		Ocean triggerfish		
Lesser amberjack	X		Red hind		
Gray triggerfish	X		Red porgy		
Almaco jack	X		Rock hind		
Yellowedge grouper		X	Rock sea bass		
Silk snapper		X	Sailor's choice		
Misty grouper		X	Saucereye porgy		
Sand tilefish		X	Scamp		
Queen snapper		X	Scup		
Blackfin snapper		X	Snowy grouper		
Atlantic spadefish			Speckled hind		
Bank sea bass			Tomtate		

Bar Jack			Warsaw grouper		
Black sea bass			White grunt		
Blueline tilefish			Whitebone porgy		
Coney			Wreckfish		
Cottonwick			Yellowfin grouper		
Cubera snapper			Yellowmouth grouper		
Goliath grouper					

*FL SRFS = species is covered by the Florida State Reef Fish Survey.

*DW Complex = species is part of the deepwater complex.

Previous AP Comments and Recommendations:

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

- 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.
- Since reporting is no longer being considered, there is little downside to being more inclusive of species.
 - Being more inclusive of species increases the utility of the permit and the potential options that may be pursued in the future.
 - Also aligns with the AP’s task and the Atlantic Coastal Cooperative Statistics Program’s “all species” approach to data collection.
 - Covering more species than may be used in subsequent targeted sampling efforts is not particularly problematic.
- There are some downsides to being less inclusive of species.
 - Narrows the utility of the permit.
 - It is difficult to add new species. The AP does not recommend starting with a smaller list with the intent of expanding in the future.

Recommendation on Action 2

- The AP recommends **Alternative 2** in **Action 2**. There is little to no downside of being more inclusive of species but there is a cost if more species need to be added. Suggest initially capturing all species that may be needed currently and in the future.

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

MOTION: RECOMMEND THAT THE COUNCIL SELECTS **ALTERNATIVE 2** (ALL SPECIES WITHIN THE SNAPPER GROUPE COMPLEX).
APPROVED BY AP (UNANIMOUS)

General Comments:

- While it could help to match the Florida SRFS species for consistency, some important snapper grouper species are not included in that list so it would be advisable to go with all species within the complex to be comprehensive regionally.

- Choosing all species in the snapper grouper complex could make it easier for permit holders to comply with the permit requirement since they would not need to remember which of the species fall under the permit and which ones do not.

Question for the AP:

- Is the AP still comfortable with previous recommendations and comments on **Action 2**?

Action 3. Establish a mechanism that would allow a state to opt out of a federal private recreational snapper grouper permit to fish for, harvest, or possess snapper grouper species in the South Atlantic region

Purpose of the Action: This action would establish a mechanism that would allow a state to opt out of the federal private recreational snapper grouper permit requirement.

Alternative	A state could opt out of a federal private recreational snapper grouper permit requirement provided that the state implements equivalent measures that includes:
Alternative 1 (No Action)	A federal permit is not required for a private angler or vessel when fishing for snapper grouper species in the South Atlantic region.
Sub-alternative 2a	<u>The same permit type</u> as the federal permit requirement (as <i>selected in Action 1</i>).
Sub-alternative 2b	<u>The same snapper grouper species</u> from the federal permit requirement (as <i>selected in Action 2</i>).
Sub-alternative 2c	<u>The same permitting timeframe</u> as the federal permit requirement (<i>annual renewal</i>).
DRAFT Sub-alternative 2d	<u>The same education requirements</u> as the federal permit requirement (as selected in Actions 4-6).

Previous AP Comments and Recommendations:

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

- 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.
- 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.

Recommendation on Action 4

- The AP recommends **Alternative 2, Sub-alternatives 2a, 2b, and 2c in Action 3.**
Note: Sub-alternative 2d did not exist when the AP last discussed this action.

Question for the AP:

- Does the AP have recommendations or comments for the Council to consider on **Action 3**?
 - Does the AP have recommendations on preferred alternatives for the Council to consider?

Education requirement-related actions (Actions 4-6)

Action 4. Establish a required education component in the private recreational portion of the snapper grouper fishery.

Purpose of the Action: This action is necessary to establish a required education component for private recreational permit holders fishing for or targeting snapper grouper species in the South Atlantic region.

Alternative	Education component
Alternative 1 (No Action)	There is not a required education component to fish for, harvest, or possess snapper grouper species in the South Atlantic region.
Alternative 2	Establish a required education component for private recreational permit holders who fish for, harvest, or possess snapper grouper species in the South Atlantic region.

Action 5. Specify the timing of implementation for a required education component in the private recreational portion of the snapper grouper fishery

Purpose of the Action: This action would specify the timing of when a required education component would become effective for private recreational permit holders fishing for or targeting snapper grouper species in the South Atlantic region.

Alternative	Education component
Alternative 1 (No Action)	There is not a required education component to fish for, harvest, or possess snapper grouper species in the South Atlantic region.
Alternative 2	Implemented at the same time that a private recreational snapper grouper permit is established.
Alternative 3	Implementation is delayed until a later date after a private recreational snapper grouper permit is established. (<i>Note: Council would need to specify length of the delay</i>).

Action 6. Specify the effective term of a required education component for the private recreational portion of the snapper grouper fishery in the South Atlantic region

Purpose of the Action: This action is necessary to establish how often an education component would need to be completed.

Alternative	A required education component would need to be completed:
Alternative 1 (No Action)	There is not a required education component to fish for, harvest, or possess snapper grouper species in the South Atlantic region.

Alternative 2	<u>Upon each issuance</u> of a private recreational snapper grouper permit.
Alternative 3	<u>Every other year upon issuance</u> of a private recreational snapper grouper permit.
Alternative 4	<u>One time</u> upon initial issuance of a private recreational snapper grouper permit.
Alternative 5	<u>Upon initial issuance</u> of a private recreational snapper grouper permit <u>and each time that the education component materials are updated.</u>

Previous AP Comments and Recommendations:

The following feedback and recommendations have been provided by the Snapper Grouper Recreational Permitting and Reporting Technical AP at their November 2022 meeting:

- **Recommendation:** An education requirement or certification may not be necessary or required on an annual basis, thus such a requirement would not be an adequate substitute for a permit.
 - There would still need some readily available way to identify anglers in the field that took the education training. For both compliance and validation as well as sampling purposes.
- **Recommendation:** An education requirement would pair well with a permit, potentially in the initial issuance or renewal process.
 - Such a requirement would provide an opportunity to educate anglers on best fishing practices, what species are within SG complex, species ID, descending devices, etc.
 - Education could include information on why the permit exists and importance of data collection.
 - An education requirement could help deter oversubscription.
 - If a permit is vessel based, the details need to be specified regarding who must obtain the education certificate.
 - Vessel owner? Vessel operator? At least one person onboard a permitted vessel?

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

- **Recommendation:** There is strong support for developing an education component as soon as possible.
 - The education requirement could be modeled along the lines of what HMS requires for sharks.
 - In the education materials, include links to encourage anglers to use existing reporting and regulation apps.
 - Potentially 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.
- **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.

Question for the AP:

- 1) Is the AP still comfortable with previous recommendations and comments on **Action 3**?
 - Does the AP have recommendations on preferred alternatives for the Council to consider in **Actions 4-6**?
 - Are there additional items that you think should be brought to the Council's attention?
- 2) If the permit is vessel-based, does the AP have recommendations for who should need to satisfy the education requirement? (Vessel owner? Vessel operator? Someone on the vessel? Other?)
- 3) Does the AP have recommendations on the content and structure of the education materials or program that would be required?
 - What type of content and information should be included? (Best fishing practices? Basic regulations? Other?)
 - What should be the format of the materials? (Online? Video? Should a test be involved?)
 - Approximately how long should the education module take to complete?
- 4) Rather than develop a new education module, the Council is interested in potentially partnering with other organizations to utilize existing education materials or programs.
 - Does the AP know of existing education programs or modules on best fishing practices applicable to the snapper grouper fishery that could potentially be used to satisfy the education requirement that the Council is considering?
- 5) In **Action 5**, the Council is considering delaying the implementation of an education requirement until sometime after a permit has been established.
 - If the Council does delay implementation of an education requirement, does the AP have recommendations for how long of a delay should be considered?