

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  
April 2024

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

## Background

Amendment 46 to the Snapper Grouper Fishery Management Plan (FMP) was previously developed in the first half of 2018 and was approved for scoping at the June 2018 South Atlantic Fishery Management Council (Council) meeting. Due to time constraints over the Council's workplan and the need to obtain more information on potential approaches for private recreational data gathering, the amendment was never scoped. From 2018 through 2020 staff focused instead on piloting the MyFishCount mobile app and portal. Other related efforts have also taken place, notably the convening of the Joint Council Workgroup on Section 102 of the Modernizing Recreational Fisheries Management Act of 2018 (Modern Fish Act) and the Private Recreational Reporting Workgroup. Once work on the amendment commenced again, the amendment has undergone a series of reviews by several advisory panels, including the Snapper Grouper Recreational Permitting and Reporting Technical 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](#))
- 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](#))

The Snapper Grouper Recreational Permitting and Reporting Technical AP last reviewed Amendment 46 in August 2023. Since that time, the Council has continued to develop the amendment, with actions being removed, consolidated, and modified. Additionally, the Council has selected preferred alternatives for the first two permitting-related actions. At this meeting, the AP will be asked to discuss the revised amendment and provide feedback to the Council on technical aspects to consider as they move forward with potentially developing a private recreational permit and education requirement. As part of this, the AP will be asked to confirm previous recommendations given revisions that have taken place in the amendment since the last review.

## Actions in this amendment

1. Establish a private recreational permit in the snapper grouper fishery
2. Specify the species that will be covered by the permit
3. Establish a required education component
4. Specify the timing of when the required education component needs to be completed
5. Establish an exemption to the federal private recreational snapper grouper permit requirement based on permitting by the states

## Objectives for this meeting

- Gather feedback on actions and alternatives being considered in the amendment.
- Provide recommendations for the Council to consider as Amendment 46 continues to be developed.

## 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.
<b>Spring 2024</b>	<b>Review by Technical AP and Private Angler AP.</b>
June 2024	Council review of amendment and Technical AP and Private Angler AP comments.
September 2024	Council reviews modifications to the amendment, select preferred alternatives, and approve 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.

## 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.

### Previous AP Comments and Recommendations:

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

#### Integration into the MRIP survey and sampling framework

- 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).
      - This could also be a touchy subject for both the sampler and the angler if the angler is not permitted but should be according to the requirement.
    - If a census level reporting approach for some species were to be implemented in the future, a vessel based permit would be better.
- If a private recreational snapper grouper permit is implemented, consider a “hybrid approach” to create a new sampling framework.
  - While not within the Council’s set of responsibilities but related to the Council’s implementation of a permit, MRIP and states could work together to develop a standalone effort survey that focuses specifically on snapper grouper species that is integrated into APAIS.
  - A vessel based permit would make this approach more feasible and easier to implement.

Compatibility with existing state efforts

- A federal permit requirement would not be prohibitive to the existing Florida State Reef Fish Survey (SRFS) efforts.
  - Although the FL State Reef Fish Angler designation is angler based, it is required for private anglers or divers fishing from a private vessel.
  - A vessel based permit would not be an impediment to SRFS.

Potential funding options

- The Inflation Reduction Act (IRA) has provided a notable amount of additional multi-year funding to NOAA Fisheries.
- IRA funding could be used over the next several years to support the development of a private recreational permitting system and snapper grouper-focused sampling framework.
  - These funds could be used to “bridge the gap” between developing the permitting program and securing re-occurring funds to maintain the program in the long-term.

- Development of some revised reef fish sampling efforts on the Gulf coast were initially supported by funds from the Deepwater Horizon oil spill that bridged the gap between development and long-term implementation.
- Funding is an important aspect of developing a permitting system. The AP suggests that the Council consider recommending that NOAA Fisheries use IRA funds to support the development of a private recreational permitting system.

#### Likelihood of permit use by MRIP

- The permit will be used by MRIP and integrated into the existing framework. However, it is important to be mindful of expectations.
- As soon as the permit information is available, it can be used to supplement the Fishing Effort Survey (FES) framework to better stratify sampling.
- Supplementary use of the permit to increase its utility, including further improvements to the precision and accuracy of recreational data estimates, would be determined by additional efforts towards sampling revisions or new programs that could be developed. These potential efforts would be dependent on the resources (funding and staffing) that are made available.
- Creating the permit creates the option to make such improvements.

#### Additional comments

- There is some concern over enforcement of a permit requirement. Proper enforcement will be important to maximize the utility of a permit.
- The AP expressed interest in potential integration of state waters into future permitting and sampling efforts. This will depend on the development of a future “hybrid” approach to sampling as well as state interest in integrating a snapper grouper permit that would cover state waters.

#### 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**.

#### **AP Discussion Questions:**

- 1) In discussion of Action 1, there has been concern raised over situations where a vessel owner is not onboard or the owner may be a corporate entity. This is particularly the case for rental vessels or boating club vessels, which have become more common in recent years.
  - a) Does such a scenario reduce the utility of a vessel-based permit? Would an angler-based permit be better in this scenario?
  - b) Are there any concerns over a vessel-based permit when it comes to rental or boating club vessels that may be used in the snapper grouper fishery? Please discuss how potential data collection improvements resulting from a vessel-based permit could be affected by rental and boat club vessels.
  - c) Does the AP feel that fishing activity onboard rental and boat club vessels is being adequately captured in current MRIP sampling?

- 2) Please discuss the integration of a permit requirement with an education requirement and whether it would affect the AP's existing recommendation for a vessel-based permit.
  - a) Is the AP still comfortable with the existing recommendation of Alternative 2? Are there caveats that the AP would like to add to this recommendation?
- 3) Are there any other permit related considerations that the AP would like to bring to the Council's attention?

**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 Council 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**).
  - **Preferred Alternative 2** would cover all snapper grouper species found within the management unit (55 species).
  - **Alternative 3** would cover the species that fall under the Florida State Reef Fish Survey (13 species).
  - **Alternative 4** would cover species in the deepwater complex and other deepwater species (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:

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

#### Compatibility with existing state efforts

- Florida SRFS efforts will not be compromised as long as all of the SRFS species are also covered by the federal permit. Including additional species would not be problematic.
- It was noted that the species originally covered by SRFS needed to be expanded after initial implementation, which caused some challenges.
  - Requires special treatment of baseline data for the new species that were not originally covered.

#### Species covered by the permit in relation to subsequent survey and sampling efforts

- Since reporting is no longer being considered, there is little downside to being more inclusive of species.
  - Being more inclusive of species increases the utility of the permit and the potential options that may be pursued in the future.
    - Also aligns with the AP's task and the Atlantic Coastal Cooperative Statistics Program's "all species" approach to data collection.
  - Covering more species than may be used in subsequent targeted sampling efforts is not particularly problematic.
- There are some downsides to being less inclusive of species.



- Narrows the utility of the permit.
- It is difficult to add new species. The AP does not recommend starting with a smaller list with the intent of expanding in the future.

#### Recommendation on **Action 2**

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

#### **AP Discussion Questions:**

- 1) Are there ways to specifically improve estimates of catch for deepwater species within the current structure of this amendment?
  - a. Would a private recreational permit alone (i.e. with no reporting requirement) likely lead to improvements in estimates of catch and effort for deepwater species?
  - b. Would the deepwater species need their own sampling framework?
- 2) Is the AP still comfortable with the existing recommendation of Alternative 2?

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

**Purpose of the Action:** This action is necessary to require an 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 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.

### **Action 4. Specify the timing of the education component requirement for the private recreational snapper grouper permit**

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

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

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

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

**Alternative 4.** Completion of the education component would be required **upon initial issuance** of a federal private 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.

### **AP Comments and Recommendations:**

The following feedback and recommendations were provided by the Snapper Grouper Recreational Permitting and Reporting AP at the August 2022 meeting. This guidance was reiterated at their May 2023 meeting:

- An education requirement or certification may not be necessary or required on an annual basis, thus such a requirement would not be an adequate substitute for a permit.
  - There would still need some readily available way to identify anglers in the field that took the education training. For both compliance and validation as well as sampling purposes.
- 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?

### **Discussion:**

- At the March 2024 meeting, the Council indicated held a discussion of the general contents of education materials. The Council indicated wanting to 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. How to record information and report properly.

**AP Discussion Questions:**

- Does the AP have additional comments on the education requirement or comments on the list of topics that may be covered?

## **Action 5. Establish an exemption to the federal private recreational snapper grouper permit requirement based on permitting 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 requirement provided that similar measures were enacted for a state-based permit.

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

**Alternative 2.** Establish an exemption to the federal private recreational snapper grouper permit requirement. The National Marine Fisheries Service would certify a state permit as equivalent to a federal private recreational snapper grouper permit provided the state implements equivalent measures that at a minimum include the following:

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

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

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

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

### **AP Comments and Recommendations:**

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

#### Compatibility across the region

- There are no compatibility concerns since there is only a permitting requirement being considered without reporting and any permit would cover the Exclusive Economic Zone (EEZ).
- The criteria for the state-based permits need to match the federal criteria.
  - Need to maintain a common design, ideally across all ocean areas.
  - Even if some states rely on the federal permit while others create their own permit, the common design will allow comparability of estimates across the EEZ since this area will be covered by all permits.
  - Other options where the state and federal requirements are not in alignment may create the need for additional calibrations.
- Having some states rely on the federal permit while others develop a state-based equivalent permit would create a potential issue if mandatory reporting is implemented in the future.
  - If mandatory reporting program is ever implemented, there would not likely be compatibility issues if the focus is only on the EEZ.
    - If the focus is on the EEZ and state waters, then there could be some issue with compatibility of data between states and across the region.

### **Recommendation on Action 5**

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

### **AP Discussion Questions:**

- 1) Could the AP provide an overview of the process for MRIP certification of a state based program such as the Florida State Reef Fish Survey?
  - a. What was the timeline for this process?
  - b. How was the process initiated?
  - c. What are some of the technical considerations to achieve certification?
- 2) The Council's current preferred alternative in Action 2 goes well beyond the list of species currently covered by the Florida State Reef Fish Survey. In the AP's opinion, what would "equivalent" mean? Would measures have to be the exact same or could there be some deviations, such as species covered, and still maintain the utility of the permit across the region?
- 3) Is the AP still comfortable with the existing recommendation of Alternative 2 and its sub-alternatives?
  - a. If so, does the AP want to consider also recommending Sub-alternative 2d?
- 4) Are there any other state exemption related considerations that the AP would like to bring to the Council's attention?