

South Atlantic Red Snapper Exempted Fishing Permits (EFPs) Backgrounder

Background:

Red snapper are one of the most popular fish for both commercial and recreational anglers in the Gulf and South Atlantic, due to their delicate flavor and strong fight. They are found co-occurring with a complex of other snapper and grouper species among reefs throughout Gulf and South Atlantic waters, where they are considered two regionally distinct stocks and managed independently. In the South Atlantic, the majority of red snapper catch occurs off central Georgia south to central Florida.

The red snapper stock in the South Atlantic has been chronically overfished according to NOAA stock assessments completed in 2009 onward.¹ Additionally, the impact of recreational discards (fish that are caught and released) has increased over time and remains the primary driver of mortality.² To comply with the Magnuson-Stevens Fishery Conservation and Management Act (MSA), which requires that regional fisheries management councils and NOAA Fisheries take action to end overfishing and rebuild fish stocks to healthy levels, managers have implemented a rebuilding plan to help red snapper recover by 2044. Because the recreational red snapper fishery is open-access (meaning there are no limits on the number of people or vessels that can participate), the rebuilding plan options focused on a narrow suite of traditional management tools: size limits, bag limits, and season length.

In order to prevent overfishing, NOAA Fisheries accounts for the amount of red snapper caught per day by recreational anglers in the past and projects how much time it will take for anglers to attain the annual catch limit, established by managers, in the current year. As a result, in the last decade, season length has not exceeded 9 days, and in some years, there was no season at all.³

Under the rebuilding plan, the stock has begun to recover, meaning anglers are catching red snapper more frequently. The red snapper stock recovery is still fragile, with the majority of the red snapper population are young. Fish are more reproductively effective as they age, where older, larger individuals produce more eggs that are more viable. A healthy population includes a good distribution of older individuals, but the South Atlantic red snapper population is almost entirely fish under 12 years old, while a red snapper's lifespan is 40 years or more. However, the increased abundance of young fish means that fishermen are catching more snapper, leading to more discards as anglers must throw back any out-of-season or under-sized catch.

¹ safmc.net/documents/a8_sgap_redsnapper-overviewdoc_oct21-pdf/

² sedarweb.org/documents/sefsc-2024-update-to-sedar-73-south-atlantic-red-snapper-assessment/

³ [Recreational Effort, Catch, and Biological Sampling in Florida During the 2025 South Atlantic Red Snapper Season](#)
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The “rebuilding paradox” of a high abundance of young fish with short fishing seasons to allow for continued recovery is not uncommon for historically overfished fisheries in the Southeast and has contributed to confusion and distrust in existing data collection systems.⁴ This has drawn the attention and intervention from Congress and even the creation of the Congressional Red Snapper Task Force.⁵⁶⁷⁸

Proposed State Management EFPs:

In response to frustration among anglers at a federal two-day season for red snapper in 2025, the states of Florida, Georgia, South Carolina and North Carolina each submitted Exempted Fishing Permits (EFPs) proposals to NOAA Fisheries for the 2026 fishing season. The contents of the proposals vary per state, but North Carolina, South Carolina, and Georgia proposed 62-day seasons and Florida requested a 39-day season. The EFPs also include plans for implementing state data collection systems that would be used for management in place of the current long-standing federal data collection system.⁹ NOAA Fisheries published these EFPs for comment in February and March 2026.

Concerns about the EFPs:

The EFPs are highly likely to violate key provisions of the Magnuson-Stevens Act by exceeding the annual catch limit (ACL), causing overfishing, and failing to minimize bycatch. While the proposals suggest they will make substantial improvements in data by establishing new state-led data collection programs, these proposed programs would not improve data about recreational discards, which are the leading source of mortality for the stock. More broadly, EFPs are intended to be used for limited research and should not be a blanket exemption to legal requirements (the law describes this permitting authority as “experimental” and not “exempted”); the proposed EFPs extend far beyond this intent. Finally, the proposed EFPs do not meet many of the conditions for issuance under NOAA Fisheries’ EFP regulations, and they meet every reason listed in the regulations as grounds for denial.¹⁰

⁴ [Transitioning to New Recreational Fishing Survey Designs | NOAA Fisheries](#)

⁵ [H.R.470 - 119th Congress \(2025-2026\): Red Snapper Act of 2025 | Congress.gov | Library of Congress](#)

⁶ [H.R.4587 - 118th Congress \(2023-2024\): Red Snapper Act | Congress.gov | Library of Congress](#)

⁷ [H.R.9373 - 117th Congress \(2021-2022\): To provide that the Administrator of the National Oceanic and Atmospheric Administration shall not issue an interim or final rule that includes an area closure in the South Atlantic for species managed under the Snapper-Grouper Fishery Management Plan until the South Atlantic Great Red Snapper Count study is complete and the data related to that study is integrated into the stock assessment. | Congress.gov | Library of Congress](#)

⁸ [Text - H.R.5699 - 119th Congress \(2025-2026\): Fisheries Data Modernization and Accuracy Act of 2025 | Congress.gov | Library of Congress](#)

⁹ NOAA Fisheries Seeks Comments on Four Applications for Exempted Fishing Permits to Pilot Test New Data Collection Methods and State Management Strategies for South Atlantic Red Snapper. February 11, 2026. Available at: <https://www.fisheries.noaa.gov/bulletin/noaa-fisheries-seeks-comments-four-applications-exempted-fishing-permits-pilot-test>

¹⁰ 50 C.F.R. § 600.745(b); 50 CFR 600.745(b)(3)(iii)