PROCLAMATION

RE: SNAPPER-GROUPER COMPLEX-COMMERCIAL AND RECREATIONAL PURPOSES

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at 12:01 A.M., Wednesday, June 22, 2011, the following restrictions will apply to the fisheries for snapper-grouper:

I. Black Sea Bass, south of Cape Hatteras (35° 15.0321' N. Latitude)

A. For **commercial** purposes:

It is unlawful to possess black sea bass less than ten inches total length.

- B. For recreational purposes:
 - 1. It is unlawful to possess black sea bass less than 12 inches total length.
 - 2. It is unlawful to take or possess more than <u>five (5)</u> black sea bass per person per day without a valid Federal Commercial South Atlantic Snapper-Grouper Permit.

II. Gag Grouper and Black Grouper

- A. For **recreational** purposes:
 - 1. It is unlawful to possess gag or black grouper less than 24 inches total length.
 - 2. It is unlawful to possess more than **one** gag or **one** black grouper per person per day without a valid Federal Commercial South Atlantic Snapper-Grouper permit.
- B. For commercial purposes:
 - 1. It is unlawful to possess gag or black grouper less than 24 inches total length.
 - 2. It is unlawful to possess more than **one** gag or **one** black grouper per person per day without a valid Federal Commercial South Atlantic Snapper-Grouper permit.
 - 3. Effective July 15, 2011, it is unlawful for a vessel with a valid Federal Commercial South Atlantic Snapper-Grouper Permit to possess more than 1,000 pounds (gutted weight) of gag grouper per trip.

III. Other Groupers

- A. It is unlawful to possess shallow water grouper species taken from the waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council from January 1 through April 30. Shallow water grouper species include gag, black, red, scamp, rock hind, red hind, coney, graysby, yellowfin, yellowmouth and tiger grouper.
- B. It is unlawful to possess red grouper less than 20 inches total length.
- C. It is unlawful to possess yellowfin grouper (fireback grouper) less than 20 inches total length.
- D. It is unlawful to possess scamp less than 20 inches total length.
- E. It is unlawful to possess yellowmouth grouper less than 20 inches total length.
- F. It is unlawful for a vessel with a valid Federal Commercial South Atlantic Snapper-Grouper permit to possess or land more than one hundred pounds of snowy grouper per trip.

IV. Greater Amberjack

- A. For recreational purposes:
 - 1. It is unlawful to possess greater amberjack less than 28 inches fork length.
 - 2. It is unlawful to possess more than one greater amberjack per person per day.
- B. For commercial purposes:
 - 1. It is unlawful to possess greater amberjack less than 36 inches fork length.
 - 2. It is unlawful to sell or purchase greater amberjack less than 36 inches fork length.
- C. It is unlawful to possess more than one greater amberjack per person per day without a valid Federal Commercial South Atlantic Snapper-Grouper permit.

Effective July 15, 2011, it is unlawful for a vessel with a valid Federal Commercial South Atlantic Snapper-Grouper Permit to possess more than 1,200 pounds (gutted weight) of greater amberiack per trip.

- D. It is unlawful to possess more than one greater amberjack per person per day during the month of April.
- F. It is unlawful to sell or purchase greater amberjack during any season closure for greater amberjack.

V. Red Snapper

It is unlawful to possess, sell or offer for sale red snapper taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council for recreational or commercial purposes.

VI. Vermilion Snapper

- A. For **recreational** purposes:
 - 1. It is unlawful to possess vermilion snapper (beeliner) less than 12 inches total length.
 - 2. It is unlawful to possess more than **5** vermilion snapper per person per day.
 - 3. It is unlawful to possess vermilion snapper (beeliner) taken from the waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council from November 1 through March 31.
- B. For **commercial** purposes:
 - 1. It is unlawful to possess or sell vermillion snapper (beeliner) less than 12 inches total length.
 - 2. It is unlawful to possess more than 5 vermillion snapper per person per day without a valid Federal Commercial South Atlantic Snapper-Grouper permit.
 - 3. Effective July 15, 2011, it is unlawful for a vessel with a valid Federal Commercial South Atlantic Snapper-Grouper Permit to posses more than 1,500 pounds of vermilion snapper (gutted weight) per trip.

VII. Other Snapper

- A. It is unlawful to possess silk snapper less than 12 inches total length.
- B. It is unlawful to possess blackfin snapper less than 12 inches total length.

VIII. Hogfish

- A. For recreational purposes:
 - 1. It is unlawful to possess more than five (5) hogfish **(hog snapper)** per person per day without a valid Federal Commercial South Atlantic Snapper-Grouper permit.
 - 2. It is unlawful to possess hogfish less than 12 inches fork length.
- B. For **commercial** purposes:
 - 1. It is unlawful to possess hogfish less than 12 inches fork length.
 - 2. For a single day trip, it is unlawful to possess more than 150 pounds of hogfish per vessel, regardless of the number of persons onboard.
 - 3. For trips of more than one day, it is unlawful to possess more than 100 pounds of hogfish per vessel, regardless of the number of persons onboard, for each additional day up to seven days. It is unlawful to possess more than 750 pounds of hogfish in seven days. Vessels targeting hogfish shall call in to Marine Patrol Communications at 1-800-682-2632 and report date of departure prior to leaving the dock.

IX. Red Porgy

- A. For recreational purposes:
 - 1. It is unlawful to possess red porgy less than 14 inches total length.
 - 2. It is unlawful to possess more than three red porgies per person per day without a valid Federal Commercial Snapper-Grouper permit.
- B. For **commercial** purposes:
 - 1. It is unlawful to sell or offer for sale or purchase red porgy from January 1 through April 30.
 - 2. It is unlawful for a vessel with a valid Federal Commercial South Atlantic Snapper-Grouper permit to possess or land more than 120 individual red porgy per vessel per trip from May 1 through December 31.

X. Combined Bag Limits

- A. It is unlawful to possess more than **5** vermilion snapper and 10 other snappers per person per day without a valid Federal Commercial South Atlantic Snapper-Grouper permit.
- B. It is unlawful to possess more than **three** grouper per person without a valid Federal Commercial South Atlantic Snapper-Grouper permit of which:
 - 1. no more than **one** may be a gag or black grouper (individually or in combination) per person per day;
 - 2. no more than three blueline tilefish or sand tilefish per person per day; and
 - 3. no more than one per person per day may be a golden tilefish.

- C. It is unlawful to possess speckled hind.
- D. It is unlawful to possess warsaw grouper.
- E. It is unlawful to possess more than one snowy grouper per vessel.
- F. For commercial purposes, it is unlawful to possess or sell golden tilefish taken from the waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council from March 10, 2011 through December 31, 2011.
- G. It is unlawful to possess more than 20 fish in the aggregate per person per day of the following species without a valid Federal Commercial South Atlantic Snapper-Grouper permit: whitebone porgy, jolthead porgy, knobbed porgy, longspine porgy, scup, sheepshead, gray triggerfish, queen triggerfish, yellow jack, crevalle jack, bar jack, almaco jack, lesser amberjack, banded rudderfish, white grunt, tomtate, margate and spadefish.
- **H. As an exception to X.G. above**, sheepshead, crevalle jack and spadefish may be retained and sold in any number without a Federal Commercial South Atlantic Snapper Grouper Permit when taken for commercial purposes in coastal waters.
 - I. It is unlawful to possess any species of the Snapper-Grouper complex except snowy, yellowedge, and misty groupers; blueline, golden and sand tilefishes; while having longline gear aboard a vessel.
 - J. It is unlawful to possess Nassau grouper or goliath grouper.
 - K. It is unlawful for persons in possession of a valid National Marine Fisheries Service Snapper-Grouper Permit for Charter Vessels to exceed the creel restrictions established in Sections (I), (V), (IX), and (X) of this proclamation when fishing with more than three persons (including the captain and mate) on board.
 - L. It is unlawful to sell, offer for sale any species of the Snapper-Grouper complex harvested or possessed under the bag limits specified in 50 CFR Part §622.39 (d) unless the vessel owner has been issued a Federal Commercial South Atlantic Snapper-Grouper Permit.
- M. It is unlawful to purchase any species of the snapper grouper complex harvested in the Atlantic Ocean without a valid South Atlantic Snapper-Grouper Dealer Permit.
- N. It is unlawful to purchase any species of the snapper grouper complex harvested in the Atlantic Ocean from a vessel without a valid South Atlantic Snapper Grouper Permit.

XI. Fish Traps/Pots

- A. It is unlawful to use or have on board a vessel fish traps for taking snappers and groupers except sea bass pots as allowed in Section XI. B. below.
- B. Sea bass may be taken with pots that conform with the federal rule requirements for mesh sizes and pot size as specified in 50 CFR Part §646.2, openings and degradable fasteners specified in 50 CFR §Part 646.22(c)(2)(i), and escape vents and degradable materials as specified in 50 CFR Part §622.40 (b)(3)(i) and rules published in 50 CFR pertaining to sea bass north of Cape Hatteras (35° 15.0321' N. Latitude). South of Cape Hatteras, sea bass may be taken with pots that conform with the federal rule requirements for mesh sizes and pot size as specified in 50 CFR Part §622.40. Copies of these rules are available via the Federal Register posted on the Internet at www.gpoaccess.gov/fr and at the Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557 at no cost.

XII. Dehooking Tools

It is unlawful to fail to use dehooking tools in both the recreational and commercial snapper-grouper fisheries when the fish is to be released.

XIII. GENERAL INFORMATION

- A. This proclamation is issued under the authority of N.C.G.S. 113-170.4; 113-170.5; 113-182; 113-221.1; 143B-289.52 and N.C. Marine Fisheries Rules 15A NCAC 03H .0103, 03I .0102, 03M .0506 and 03M .0512.
- B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under his delegated authority pursuant to N.C. Marine Fisheries Rule 15A NCAC 03H .0103.
- C. The intent of this proclamation is to maintain North Carolina's compliance with the requirements of Amendments 15B and 16 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. Effective October 1, 2008, the provisions found in this proclamation were eliminated from N.C. Fisheries Rule 15A NCAC 03M .0506 in order to allow the Fisheries Director the latitude to comply with changes that occur in the requirements without suspending portions of the rule.
- D. Provisions for multiple day trip possessions for vessels without a valid Federal South Atlantic Snapper-Grouper Permit are found in 50 CFR Part §622.39. This rule states in part that a person aboard a charter vessel or headboat on a trip that spans more than 24 hours may possess no more than two daily bag limits of species other than red porgy. A person aboard a headboat on a trip that spans more than 48 hours and who can document that fishing was conducted on at least three days may possess no more than three bag limits of species other than red porgy. Privately-operated vessels are allowed only one bag limit. The gag grouper, black sea bass and vermilion snapper commercial fisheries are managed by quota and will close by proclamation when the quotas are reached.

Ε.	This proclamation supersedes Proclamation FF-53-2011, dated April 26, 2011. Regulatory Amendment 9
	reduces the recreational black sea bass trip limit from 15 to 5 fish effective June 22, 2011. It also
	establishes commercial trip limits for gag grouper and vermilion snapper and increases the commercial trip
	limit for greater amberjack. The trip limit changes for these three species take effect July 15, 2011. Recently
	enacted measures in federal waters concerning deep water harvest can be found in 50 CFR Part § 622. and the
	use of circle hooks is addressed in 50 CFR Part 622.41(n)(2).

BY: _	
	Dr. Louis B. Daniel III, Director
	DIVISION OF MARINE FISHERIES