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., Monday, June 3, 2013,** 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 **recreational** purposes**:**

1. It is unlawful to possess black sea bass **less than 13 inches total length.**
2. It is unlawful to possess more than five (5) black sea bass per person per day.

B. For **commercial** purposes:

1. It is unlawful to possess black sea bass less than **11 inches total length.**
2. It is unlawful for a vessel with a valid Federal Commercial South Atlantic Snapper-Grouper Permit to possess more than 1,180 pounds whole weight (1,000 pounds gutted weight) of black sea bass per trip.
3. It is unlawful for a vessel with a valid federal South Atlantic Snapper Grouper permit and a valid Black Sea Bass Pot Endorsement to possess on board **more than 35 pots** when in possession of black sea bass.
4. It is unlawful for a vessel with a valid federal South Atlantic Snapper Grouper permit and a valid Black Sea Bass Pot Endorsement to fail to remove all sea bass pots from the water and return the vessel to a dock, berth, beach, seawall or ramp at the conclusion of a trip.

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. **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 **for recreational and commercial purposes** 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, and yellowmouth 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. For **commercial purposes,** 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 (gutted weight) per vessel per trip, regardless of the number of persons involved**. For recreational purposes, it is unlawful to possess snowy grouper. The season will re-open at 12:01 a.m. on January 1, 2014.**

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.

D. **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 amberjack per trip.**

E. It is unlawful to possess more than one greater amberjack per person per day, or one per trip (whichever is more restrictive) during the month of April.

F. It is unlawful to sell or purchase greater amberjack during any season closure for greater amberjack.

V. **Other Jacks**

For **recreational** purposes:
Almaco jack, banded rudderfish and lesser amberjack are part of the 20 fish in the aggregate per person per day recreational bag and possession limit in XII. F.

VI. **Red Snapper**

A. For **recreational** purposes:
It is unlawful to possess red snapper taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council for recreational purposes.

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

VII. **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 **five** 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:
It is unlawful to sell or offer for sale vermilion snapper (beeliner) taken from the waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council. The season will reopen at 12:01 A.M., July 1, 2013. During the closure, recreational bag and possession limits may be retained except by the captain and crew on charter vessels and headboats.

VIII. **Other Snapper**

A. It is unlawful to possess silk snapper, blackfin snapper, yellowtail snapper, dog snapper, cubera snapper, queen snapper, gray snapper and mahogany snapper less than 12 inches total length.

B. It is unlawful to possess mutton snapper less than 16 inches total length.

C. It is unlawful to possess Lane snapper less than 8 inches **total** length.

IX. **Hogfish**

A. For **recreational** purposes:
   1. It is unlawful to possess more than five 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 800-682-2632 and report date of departure prior to leaving the dock.

X. **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 (or three per trip, whichever is more restrictive) without a valid Federal Commercial Snapper-Grouper permit.

B. For **commercial** purposes:
1. It is unlawful to possess red porgy less than 14 inches total length.
2. It is unlawful to sell or offer for sale or purchase red porgy **from January 1 through April 30**.
3. 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.

XI. **Wreckfish**

For **recreational** purposes:

It is unlawful to possess more than one wreckfish per vessel per day.

It is unlawful to possess wreckfish **except** from July 1 through August 31 of each year.

XII. **Combined Bag Limits**

A. It is unlawful to possess more than **five** 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.

B. For **commercial purposes**, it is unlawful to possess **golden tilefish through 12:01 A.M. January 1, 2014**. **For recreational purposes, it is unlawful to possess golden tilefish. The season will reopen at 12:01 A.M. on January 1, 2014.**

D. **It is unlawful to possess speckled hind.**

E. **It is unlawful to possess warsaw grouper.**

F. 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, gray triggerfish, yellow jack, bar jack, almaco jack, lesser amberjack, banded rudderfish, white grunt, tomtate, margate and spadefish.

G. For **commercial and recreational** purposes, it is lawful to possess jolthead, knobbed, saucereye and whitebone porgy and scup.
No size or trip limits are in effect at this time.

H. For **commercial and recreational** purposes, it is lawful to possess **gray triggerfish** taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council. No size or trip limits are in effect at this time.

I. **As an exception to XII. F. above,** 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.

J. It is unlawful to possess any species of the Snapper-Grouper complex except snowy, yellowedge, and misty groupers; blueline and sand tilefishes; while having longline gear aboard a vessel during open harvest seasons.

K. It is unlawful to possess Nassau grouper or goliath grouper.

L. 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), (IX) and (X) of this proclamation when fishing with more than three persons (including the captain and mate) on board.

M. 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.

N. 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.

O. 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.

XIII. **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 **XIII.** 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). **Federal rules for commercial black sea bass pot endorsements and pot restrictions, both of which were effective July 1, 2012, can be found in 50 CFR Part §622.40(a)(2)(xv) and 50 CFR Part §622.40(d)(1)(i), respectively.**
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 notice for South Atlantic Snapper Grouper Amendment 18A, posted on the Internet at http://gpo.gov/fdsys/pkg/FR-2012-06-01/pdf/2012-13342.pdf** and at the Division of Marine Fisheries, P.O. Box 769, Morehead City, North Carolina 28557 at no cost.

XIV. **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.

XV. **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 Commission 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 Commission Rule 15A NCAC 03H .0103.

C. The intent of this proclamation is to maintain North Carolina's compliance with the requirements of amendments 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 Commission 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**.

E. After a commercial snapper–grouper quota has been met, all purchase and sale is prohibited and harvest and/or possession is limited to the recreational bag limit when the recreational season is open.

G. This proclamation supersedes Proclamation FF-34-2013 dated May 24, 2013**. It closes the recreational harvest of golden tilefish effective June 3, 2013.**

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

May 31, 2013
11:00 A.M.
FF-35-2013
/sab

455 copies of this public document were printed at a cost of 20 cents per copy.