



ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

STEPHEN W. MURPHEY  
*Director*

**FF-29-2020**

## **PROCLAMATION**

### **RE: SNAPPER GROUPEL COMPLEX – COMMERCIAL – RED SNAPPER OPENING AND REGULATORY AMENDMENT 29 – REQUIRED GEAR MODIFICATIONS**

**This proclamation supersedes proclamation FF-11-2020, dated March 12, 2020. It opens the commercial harvest of red snapper, effective 12:01 A.M. Monday, July 13, 2020. The fishery will be closed via proclamation if the annual catch limit is met or projected to be met, or will close at 12:01 A.M. January 1, 2021, whichever occurs earlier. It also implements the requirements of the final rule for Regulatory Amendment 29 to the Snapper Grouper Fishery Management Plan of the South Atlantic and establishes the following:**

- **Require a descending device be on board and readily available for use on commercial, for-hire, and private recreational vessels while fishing for or possessing snapper-grouper species; and**
- **Require the use of non-offset, non-stainless steel circle hooks while fishing for or possessing snapper-grouper species with hook-and-line gear and natural baits.**

**Please see the following NOAA Fishery Bulletins for more information:**

**<https://www.fisheries.noaa.gov/bulletin/noaa-fisheries-announces-limited-openings-recreational-and-commercial-red-snapper-0>**

**and**

**<https://www.fisheries.noaa.gov/bulletin/noaa-fisheries-announces-gear-modifications-snapper-grouper-fishery>**

Stephen W. Murphey, Director, Division of Marine Fisheries, hereby announces that effective **12:01 A.M., Monday, July 13, 2020 for red snapper and 12:01 A.M. Wednesday, July 15, 2020 for the required gear modifications**, the following restrictions will apply to the commercial fisheries for snapper-grouper:

#### **I. Permit Requirements**

- A. It is unlawful to sell, offer for sale, or exceed the recreational bag limits of any species of the Snapper-Grouper complex specified in 50 CFR Part §622.187(b) unless the vessel owner has been issued a valid Federal Commercial South Atlantic Snapper Grouper Permit.
- B. For a vessel with both a valid Federal South Atlantic Charter/Headboat Permit for Snapper Grouper and a valid Federal Commercial South Atlantic Snapper Grouper Permit it is unlawful to exceed the recreational bag limits for snapper grouper species when fishing with more than four persons (including captain and mate) on board, or when carrying paying customers.
- C. For a vessel with both a valid Federal South Atlantic Charter/Headboat Permit for Snapper Grouper and a valid Federal Commercial South Atlantic Snapper Grouper Permit it is unlawful to sell or offer for sale any species of the Snapper Grouper Complex harvested when fishing with more than four persons (including captain and mate) on board or when carrying paying customers.
- D. It is unlawful to purchase any species of the snapper grouper complex taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council

- without a valid Federal Gulf and South Atlantic Dealer Permit (see exception under Section XVII. I).
- E. It is unlawful to purchase any species of the snapper grouper complex taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council from a vessel that does not hold a valid Federal Commercial South Atlantic Snapper Grouper Permit.
  - F. It is unlawful to possess more than one trip limit of snapper grouper complex species at any time excluding licensed finfish dealers with a valid Federal Gulf and South Atlantic Dealer permit.
  - G. It is unlawful to take black sea bass using pot gear without having both a valid Federal Commercial Snapper Grouper Permit and a valid Federal South Atlantic Black Sea Bass Pot Endorsement onboard.
  - H. It is unlawful to take golden tilefish using longline gear without having both a valid Federal Commercial Snapper Grouper Permit and a valid Federal South Atlantic Golden Tilefish Longline Endorsement onboard.

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

- A. It is unlawful to possess black sea bass less than 11 inches total length.
- B. It is unlawful to use hook-and-line gear to possess:
  - 1. From January 1 through April 30, more than 354 pounds whole weight (300 pounds gutted weight) of black sea bass per trip.
  - 2. From May 1 through December 31, more than 1,180 pounds whole weight (1,000 pounds gutted weight) of black sea bass per trip.
- C. For a vessel with a valid federal Black Sea Bass Pot Endorsement using pot gear the following restrictions apply:
  - 1. It is unlawful to possess more than 1,180 pounds whole weight (1,000 pounds gutted weight) of black sea bass per trip.
  - 2. It is unlawful to possess on board more than 35 pots when in possession of black sea bass.
  - 3. It is unlawful 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.
  - 4. From November 1-30 and April 1-30 each year, it is unlawful to use pots to harvest or possess black sea bass inshore of the rhumb lines connecting the points in Table 1 (approximates depths shallower than 25 meters).
  - 5. From December 1 through March 31 each year, it is unlawful to use pots to harvest or possess black sea bass inshore of the rhumb lines connecting the points in Table 2 (approximates depths shallower than 30 meters).
  - 6. It is unlawful to transit the seasonally prohibited areas described in (4) and (5) of this section without black sea bass pots appropriately stowed as described in 50 CFR §622.183(b)(6)(iii). Transit means non-stop progression through the area and appropriately stowed means all sea bass pots must be out of the water and on board the deck of the vessel, with buoys either disconnected from the pot or stowed within the sea bass pot.
  - 7. From September 1 through May 31 each year, it is unlawful to use pots to harvest black sea bass without a 12-inch wide purple band added onto the buoy line at the end of, and directly adjacent to, each of the currently required 12-inch colored marks required through the Atlantic Large Whale Take Reduction Plan described in 50 CFR §229.32(b).

**III. Red Grouper**

- A. It is unlawful to possess red grouper less than 20 inches total length.
- B. It is unlawful to possess red grouper from January 1 through May 31.
- C. It is unlawful to possess more than 200 pounds (gutted weight) of red grouper per trip.

IV. **Other Groupers**

- A. It is unlawful to possess speckled hind, warsaw grouper, Nassau grouper, and goliath grouper.
- B. It is unlawful to possess black grouper or gag grouper less than 24 inches total length.
- C. It is unlawful to possess yellowfin (fireback) grouper, yellowmouth grouper or scamp less than 20 inches total length.
- D. 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 grouper, black grouper, scamp, rock hind, red hind, coney, graysby, yellowfin grouper and yellowmouth grouper.
- E. It is unlawful to possess more than 1,000 pounds (gutted weight) of gag grouper per trip.
- F. It is unlawful to possess more than 200 pounds (gutted weight) of snowy grouper per trip.

V. **Greater Amberjack**

- A. It is unlawful to possess greater amberjack less than 36 inches fork length.
- B. It is unlawful to possess more than 1,200 pounds (whole or gutted weight) of greater amberjack per trip from March 1 through March 31 and May 1 through August 31.
- C. It is unlawful to possess more than one greater amberjack per person per day, or one per person per trip (whichever is more restrictive) April 1 through April 30.
- D. It is unlawful to sell or offer for sale greater amberjack April 1 through April 30.
- E. It is unlawful to possess more than 1,000 pounds (whole or gutted weight) of greater amberjack per trip from September 1 through the last day of February.

VI. **Other Jacks**

The Other Jacks Complex includes almaco jack, banded rudderfish and lesser amberjack. The Other Jacks Complex commercial season is open with the following restrictions:

- A. It is unlawful to possess almaco jack less than 20 inches fork length.
- B. There are no commercial minimum size limits for banded rudderfish and lesser amberjack (except as in accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0103).
- C. It is unlawful to possess more than 500 pounds (gutted weight) of the Other Jacks Complex species (individually or in aggregate) per trip.

VII. **Red Snapper**

**It is unlawful to possess more than 75 pounds (gutted weight) of red snapper per trip or per day, whichever is more restrictive.** There is no minimum size limit. The season will close via proclamation if the annual catch limit is met or projected to be met, or will automatically close at 12:01 A.M. January 1, 2021, whichever occurs earlier.

VIII. **Vermilion Snapper**

- A. It is unlawful to possess vermilion snapper less than 12 inches total length.
- B. It is unlawful to possess more than 1,000 pounds (gutted weight) of vermilion snapper per trip.

IX. **Hogfish (hog snapper)**

- A. It is unlawful to possess hogfish less than 17 inches fork length.
- B. It is unlawful to possess more than 500 pounds (whole weight) of hogfish per trip.

X. **Mutton Snapper**

- A. It is unlawful to possess mutton snapper less than 18 inches total length.
- B. It is unlawful to possess more than 500 pounds (whole weight) of mutton snapper per trip from January 1 through March 31 and from July 1 through December 31.

- C. It is unlawful to possess more than five (5) mutton snapper per person per day, or five (5) mutton snapper per person per trip, whichever is more restrictive, from April 1 through June 30.

XI. **Other Snappers**

- A. It is unlawful to possess, yellowtail snapper, cubera snapper, and gray snapper less than 12 inches total length.
- B. It is unlawful to possess lane snapper less than 8 inches total length.

XII. **Deepwater Complex**

- A. The Deepwater Complex includes yellowedge grouper, silk snapper, misty grouper, queen snapper, sand tilefish, and blackfin snapper.
- B. There is no commercial minimum size limit for the deepwater complex (except as in accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0103).

XIII. **Red Porgy**

- A. It is unlawful to possess red porgy less than 14 inches total length.
- B. It is unlawful to possess more than 60 individual red porgy per vessel per trip from January 1 through April 30.
- C. It is unlawful to possess more than 120 individual red porgy per vessel per trip from May 1 through December 31.

XIV. **Other Porgies**

The Porgies Complex includes scup (south of Cape Hatteras only, 35° 15.0321' N. Latitude), whitebone porgy, jolthead porgy, knobbed porgy, and saucereye porgy. The season is open with no commercial size limits (except as in accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0103).

XV. **Golden Tilefish**

- A. For a vessel with a valid federal Golden Tilefish Longline Endorsement:
  - 1. It is unlawful to sell or offer for sale golden tilefish taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council by longline gear. The fishery will re-open January 1, 2021.
  - 2. It is unlawful for vessels that have valid or renewable golden tilefish longline endorsements, anytime during the golden tilefish fishing year, to take golden tilefish by hook-and-line gear.
- B. It is unlawful to possess more than 500 pounds (gutted weight) of golden tilefish taken by hook-and-line per trip.

XVI. **Blueline Tilefish**

- A. It is unlawful to possess more than 100 pounds (gutted weight) of blueline tilefish per trip from January 1 through April 30.
- B. It is unlawful to possess more than 300 pounds (gutted weight) of blueline tilefish per trip from May 1 through December 31.

XVII. **Gray Triggerfish**

- A. It is unlawful to possess gray triggerfish less than 12 inches total length.
- B. It is unlawful to possess more than 1,000 pounds (whole weight) of gray triggerfish per trip.

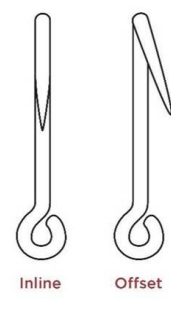
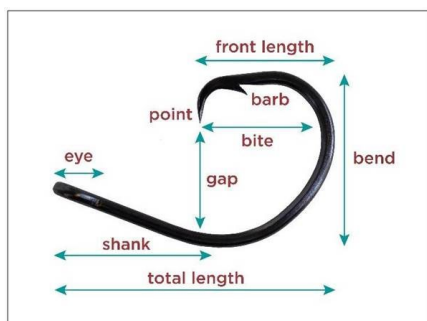
XVIII. **Harvest Restrictions**

- 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 XV.B below.

- B. South of Cape Hatteras it is unlawful to take black sea bass with pots that fail to conform with the federal rule requirements for configuration, mesh sizes, degradable materials, and escape panels as specified in 50 CFR Part §622.189(b) through (d), and identification requirements as specified in 50 CFR Part §622.177(a).
- C. It is unlawful to possess any species of the Snapper Grouper complex except snowy grouper, yellowedge grouper, misty grouper, blueline tilefish, golden tilefish and sand tilefish while having longline gear aboard a vessel during open harvest seasons.
- D. It is unlawful to fail to use dehooking tools in the snapper grouper fisheries when the fish is to be released as specified in **50 CFR Part §622.188**.
- E. It is unlawful to possess any species of the snapper grouper complex without heads and fins intact as specified in 50 CFR Part §622.186.
- F. As an exception to Section I.A., 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.

**XIX. Gear Modifications – Effective 12:01 A.M. July 15, 2020**

- A. **It is unlawful to fail to use non-offset, non-stainless steel circle hooks (50 CFR Part §622.2) while fishing for or possessing snapper grouper species while using natural baits as specified in 50 CFR Part §622.188. A non-offset hook has the point and barb in-line with the hook shank (See Diagrams).**
- B. **It is unlawful to fail to possess a descending device on board which is readily available for use while fishing for or possessing snapper grouper species as specified in 50 CFR Part §622.188. A descending device is defined as an instrument capable of releasing the fish at the depth from which the fish was caught, and to which is attached a minimum of a 16-ounce (454-gram) weight and a minimum of a 60-ft (18.3-m) length of line.**



Snapper Grouper Complex Species					
Snappers	Groupers		Triggerfish	Grunts	Sea Basses
Blackfin snapper <sup>+</sup>	Black grouper	Wreckfish	Gray triggerfish	Cottonwick**	Bank sea bass**
Cubera snapper	Coney	Yellowedge grouper <sup>+</sup>	Ocean triggerfish**	Margate	Black sea bass
Gray snapper	Gag	Yellowfin grouper		Sailors choice	Rock sea bass**
Lane snapper	<b>Goliath grouper*</b>	Yellowmouth grouper	<b>Jacks</b>	Tomtate	
Mutton snapper	Graysby		Almaco jack**	White grunt	
Queen snapper <sup>+</sup>	Misty grouper <sup>+</sup>	<b>Porgys</b>	Banded rudderfish**		
Red snapper	<b>Nassau grouper*</b>	Jolthead porgy <sup>x</sup>	Bar jack	<b>Spadefishes</b>	
Silk snapper <sup>+</sup>	Red grouper	Knobbed porgy <sup>x</sup>	Greater amberjack	Spadefish	
Vermilion snapper	Red hind	Longspine porgy**	Lesser amberjack**		
Yellowtail snapper	Rock hind	Red porgy		<b>Wrasses</b>	
	Scamp	Saucereye porgy <sup>x</sup>	<b>Tilefishes</b>	Hogfish	
	<b>Speckled hind*</b>	Scup <sup>x</sup>	Blueline tilefish		
	Snowy grouper	Whitebone porgy <sup>x</sup>	Golden tilefish		
	<b>Warsaw grouper*</b>		Sand tilefish <sup>+</sup>		

*\*Harvest prohibited; \*\* Ecosystem component species (not subject to annual catch limits or management measures) ;  
+Deepwater Complex species; ++Other Jacks Complex species; xPorgies Complex species*

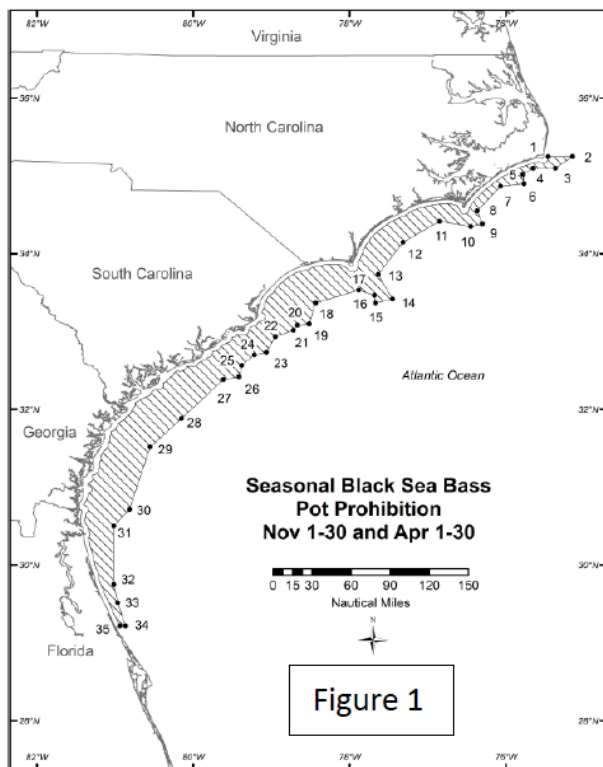
**Table 1.** Eastern boundary coordinates for the seasonal black sea bass pot closure from November 1 through 30 and April 1 through 30 each year.

Point	N. Latitude	W. Longitude	Point	N. Latitude	W. Longitude
1	35° 15'	State/EEZ Boundary	19	33° 06'	78° 31'
2	35° 15'	75° 09'	20	33° 05'	78° 40'
3	35° 06'	75° 22'	21	33° 01'	78° 43'
4	35° 06'	75° 39'	22	32° 56'	78° 57'
5	35° 01'	75° 47'	23	32° 44'	79° 04'
6	34° 54'	75° 46'	24	32° 42'	79° 13'
7	34° 52'	76° 04'	25	32° 34'	79° 23'
8	34° 33'	76° 22'	26	32° 25'	79° 25'
9	34° 23'	76° 18'	27	32° 23'	79° 37'
10	34° 21'	76° 27'	28	31° 53'	80° 09'
11	34° 25'	76° 51'	29	31° 31'	80° 33'
12	34° 09'	77° 19'	30	30° 43'	80° 49'
13	33° 44'	77° 38'	31	30° 30'	81° 01'
14	33° 25'	77° 27'	32	29° 45'	81° 01'
15	33° 22'	77° 40'	33	29° 31'	80° 58'
16	33° 28'	77° 41'	34	29° 13'	80° 52'
17	33° 32'	77° 53'	35	29° 13'	State/EEZ Boundary
18	33° 22'	78° 26'			

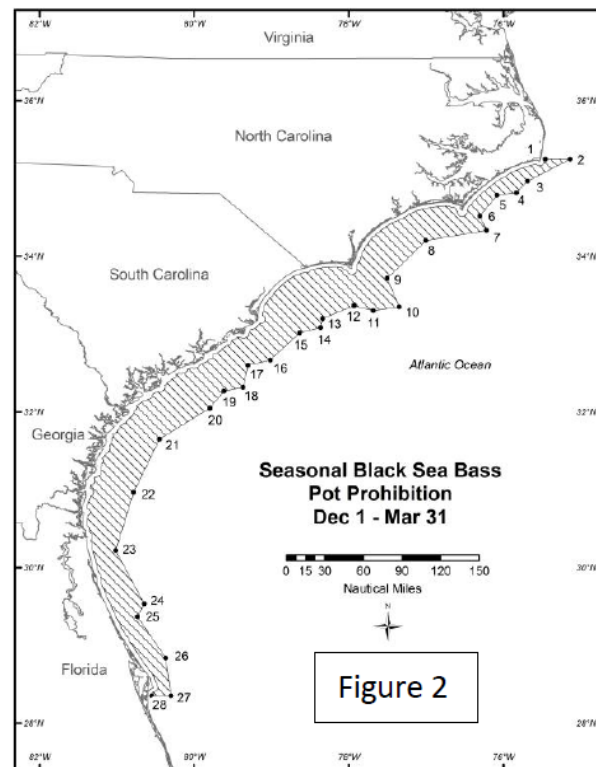
**Table 2.** Eastern boundary coordinates for the seasonal black sea bass pot closure from December 1 through March 31 each year.

Point	N. Latitude	W. Longitude	Point	N. Latitude	W. Longitude
1	35° 15'	State/EEZ Boundary	15	33° 01'	78° 38'
2	35° 15'	75° 08'	16	32° 40'	79° 01'
3	34° 58'	75° 41'	17	32° 36'	79° 18'
4	34° 49'	75° 50'	18	32° 19'	79° 22'
5	34° 47'	76° 05'	19	32° 16'	79° 37'
6	34° 31'	76° 18'	20	32° 03'	79° 48'
7	34° 20'	76° 13'	21	31° 39'	80° 27'
8	34° 12'	77° 00'	22	30° 58'	80° 47'
9	33° 43'	77° 30'	23	30° 13'	81° 01'
10	33° 21'	77° 21'	24	29° 32'	80° 39'
11	33° 18'	77° 41'	25	29° 22'	80° 44'
12	33° 22'	77° 56'	26	28° 50'	80° 22'
13	33° 12'	78° 20'	27	28° 21'	80° 18'
14	33° 05'	78° 22'	28	28° 21'	State/EEZ Boundary

Source: Amanda Frick, NMFS SERO



**Figure 1.** Black sea bass seasonal pot closure area, November 1 through 30 and April 1 through 30 each year.



**Figure 2.** Black sea bass seasonal pot closure area, December 1 through March 31 each year.

XX. **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, 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. Marine Fisheries Commission Rule 15A NCAC 03M .0506 to allow the Fisheries Director the latitude to comply with changes that occur in the requirements without suspending portions of the rule.
- D. After a commercial snapper-grouper quota has been met, all purchase and sale is prohibited and take and/or possession is limited to the recreational bag limit when the recreational season is open (50 CFR Part §622.190(c)(1)). Please see the most recent FF Snapper Grouper recreational proclamation for recreational size and bag limits.
- E. **Examples and further descriptions of descending devices can be found in the NOAA Fishery Bulletin: <https://www.fisheries.noaa.gov/bulletin/noaa-fisheries-announces-gear-modifications-snapper-grouper-fishery>.**
- F. Fish harvested under the recreational bag limits may not be sold as part of a state-licensed recreational fishing tournament (50 CFR Part §622.192).
- G. Federal rules for commercial Golden Tilefish Longline Endorsements became effective May 23, 2013 and can be found in 50 CFR Part § 622.170(f). Possession limits for vessels holding Golden Tilefish Longline Endorsements are updated effective June 22, 2016 and can be found at 50 CFR § 622.191(a)(2)(ii).

- H. 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 §622.170(e) and 50 CFR Part §622.189(e) and (f), respectively. Area and seasonal restrictions for the use of black sea bass pots were modified effective December 29, 2016 and can be found at 50 CFR §622.183(b)(6). Transit provisions through seasonally closed areas can be found at 50 CFR §622.183(b)(6)(iii). The additional buoy line marking requirements (purple marks) can be found at 50 CFR §622.189(g) and became effective March 21, 2017. These line marking requirements are in addition to those required by the Atlantic Large Whale Take Reduction Plan (ALWTRP) regulations found at 50 CFR 229.32(b) and described in the NC Black Sea Bass Pot Fisherman's Guide to the ALWTRT: <https://www.fisheries.noaa.gov/webdam/download/94698542>.
- I. A comprehensive guide to ALWTRP requirements for all trap/pot fisheries in the region is the Southeast Trap/Pot Fisheries Guide, found at: <https://www.fisheries.noaa.gov/webdam/download/94698538>.
- J. Federal permit and reporting requirements for dealers purchasing snapper grouper species became effective August 7, 2014. Please see 50 CFR Part §622.5(c) and <https://www.fisheries.noaa.gov/bulletin/modifications-current-federally-permitted-seafood-dealer-reporting-requirements>.
- K. Federal permit requirements do not apply to individuals purchasing fish from a licensed dealer. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03I .0114 (e). It is unlawful to offer for sale fish purchased from a federally permitted and licensed fish dealer without having ready at hand for inspection by Marine Patrol inspectors or other agent of the Fisheries Director written documentation of purchase showing thereon the name of the licensed dealer, name of the purchaser, date of the purchase, and the quantity of each species purchased.
- L. In accordance with N.C. General Statute 113-221.1(c) all persons who may be affected by proclamations issued by the Fisheries Director are under a duty to keep themselves informed of current proclamations.
- M. Contact the N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557, phone 252-726-7021 or 800-682-2632 for more information, or visit the division website at <http://ncmarinefisheries.net>. For a quick guide to snapper grouper regulations, please see <http://safmc.net/regulations/regulation-fact-sheets/other-resources/>.
- N. **This proclamation supersedes proclamation FF-11-2020, dated March 12, 2020. It opens the commercial harvest of red snapper, effective 12:01 A.M. Monday, July 13, 2020. The fishery will be closed via proclamation if the annual catch limit is met or projected to be met, or will close at 12:01 A.M. January 1, 2021, whichever occurs earlier. It also implements the requirements of the final rule for Regulatory Amendment 29 to the Snapper Grouper Fishery Management Plan of the South Atlantic and establishes the following:**
- **Require a descending device be on board and readily available for use on commercial, for-hire, and private recreational vessels while fishing for or possessing snapper-grouper species; and,**
  - **Require the use of non-offset, non-stainless steel circle hooks while fishing for or possessing snapper-grouper species with hook-and-line gear and natural baits.**

By: \_\_\_\_\_



Stephen W. Murphey, Director  
DIVISION OF MARINE FISHERIES

July 2, 2020  
9:35 A.M.