



ROY COOPER  
*Governor*

ELIZABETH S. BISER  
*Secretary*

KATHY B. RAWLS  
*Director*

**FF-13-2023**

## **PROCLAMATION**

### **RE: SNAPPER GROUPEL COMPLEX – RECREATIONAL – RED PORGY**

**This proclamation supersedes proclamation FF-1-2023 dated December 15, 2022. It reduces the recreational bag limit for red porgy to one (1) fish per person per day, or one (1) fish per person per trip, whichever is more restrictive. It also establishes a recreational fishing season with harvest only allowed from May 1 through June 30 each year. This proclamation implements the requirements of the final rule for Amendment 50 to the Snapper Grouper Fishery Management Plan of the South Atlantic. Please see the following NOAA Fishery Bulletin for more information: <https://www.fisheries.noaa.gov/bulletin/noaa-fisheries-announces-new-catch-levels-and-management-measures-south-atlantic-red>**

Kathy B. Rawls, Director, Division of Marine Fisheries, hereby announces that effective **12:01 A.M., Thursday, January 19, 2023**, the following restrictions will apply to the recreational fisheries for snapper grouper:

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

- A. It is unlawful to sell or offer for sale any species of the snapper grouper complex taken or possessed under the recreational bag limits 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.

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

- A. It is unlawful to possess black sea bass less than 13 inches total length.
- B. It is unlawful to possess more than seven (7) black sea bass per person per day.

#### **III. 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 red grouper, 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 snowy grouper except from May 1 through August 31 each year, subject to the bag limits in XVII.B.
- F. It is unlawful to possess red grouper from January 1 through May 31 each year, subject to the bag limits in XVII.B.

IV. **Greater Amberjack**

- A. It is unlawful to possess greater amberjack less than 28 inches fork length.
- B. It is unlawful to possess more than one greater amberjack per person per day.

V. **Other Jacks**

The recreational season for the Other Jacks Complex which includes almaco jack, banded rudderfish, and lesser amberjack opened January 1, 2023. These species are included in the twenty (20) fish aggregate per person per day recreational bag and possession limit in XVII. C.

VI. **Red Snapper**

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

VII. **Vermilion Snapper**

- A. It is unlawful to possess vermilion snapper (beeliner) less than 12 inches total length.
- B. It is unlawful to possess more than five (5) vermilion snapper per person per day.

VIII. **Hogfish (hog snapper)**

- A. It is unlawful to possess hogfish less than 17 inches fork length.
- B. It is unlawful to possess more than two hogfish per person per day.

IX. **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 mutton snapper less than 18 inches total length.
- C. It is unlawful to possess lane snapper less than 8 inches total length.

X. **Deepwater Complex**

- A. The recreational season for the Deepwater Complex which includes yellowedge grouper, silk snapper, misty grouper, queen snapper, sand tilefish, and blackfin snapper opens January 1, 2023.
- B. It is unlawful to possess silk snapper, queen snapper and blackfin snapper less than 12 inches total length.
- C. Silk snapper, queen snapper and blackfin snapper are included in the ten (10) fish aggregate per person per day recreational bag and possession limit in XVII. A.
- D. Yellowedge grouper, misty grouper and sand tilefish are included in the three (3) fish aggregate per person per day recreational bag and possession limit in XVII. B.

XI. **Red Porgy**

- A. It is unlawful to possess red porgy less than 14 inches total length.
- B. **It is unlawful to possess more than one (1) red porgy per person per day, or one (1) red porgy per person per trip, whichever is more restrictive.**
- C. **It is unlawful to possess red porgy except from May 1 through June 30 each year.**

XII. **Other Porgies**

The Porgies Complex includes jolthead porgy, knobbed porgy, whitebone porgy, saucereye porgy, and scup. These species are included in the twenty (20) fish in the aggregate per person per day recreational bag and possession limit in XVII.C.

XIII. **Golden Tilefish**

The golden tilefish recreational season opened January 1, 2023 and is subject to the bag limits in XVII.B.

XIV. **Blueline Tilefish**

It is unlawful to possess blueline tilefish except from May 1 through August 31 each year, subject to the bag limits in XVII.B.

XV. **Gray Triggerfish**

It is unlawful to possess gray triggerfish less than 12 inches fork length and is subject to the bag limits in XVII.C.

XVI. **Wreckfish**

- A. It is unlawful to possess more than one wreckfish per vessel per day.
- B. It is unlawful to possess wreckfish except from July 1 through August 31 of each year.

XVII. **Combined Bag Limits**

- A. It is unlawful to possess more than five (5) vermilion snapper and ten (10) of the following species of snappers in the aggregate per person per day when the recreational season for each species is open: silk snapper, blackfin snapper, yellowtail snapper, cubera snapper, queen snapper, gray snapper, mutton snapper and lane snapper. No more than five (5) may be mutton snapper per person per day within the ten (10) fish snapper aggregate.
- B. It is unlawful to possess more than three (3) of the following species of groupers or tilefish in the aggregate per person per day when the recreational season for each species is open: gag grouper, black grouper, snowy grouper, misty grouper, red grouper, scamp, rock hind, red hind, coney, graysby, yellowedge grouper, yellowfin grouper, yellowmouth grouper; blueline tilefish, golden tilefish, and sand tilefish with the following restrictions:
  - 1. No more than one may be a gag or black grouper (but not both) per person per day;
  - 2. No more than one golden tilefish per person per day.
  - 3. No more than one snowy grouper per vessel per day.
- C. It is unlawful to possess more than ten (10) of the following species of fish within the twenty (20) fish per person per day aggregate bag limit when the recreational season for each species is open: whitebone porgy, jolthead porgy, knobbed porgy, saucereye porgy, scup (south of Cape Hatteras, 35° 15.0321' N. Latitude), gray triggerfish, bar jack, almaco jack, banded rudderfish, lesser amberjack, white grunt, margate, sailor's choice and spadefish.

XVIII. **Harvest Restrictions**

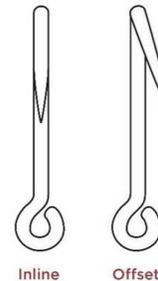
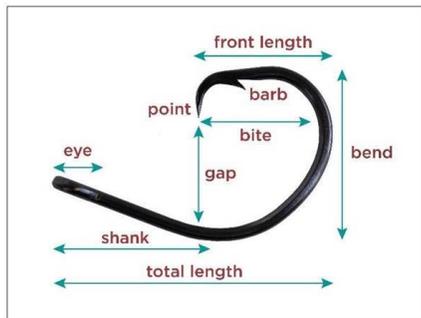
- A. It is unlawful to fail to use dehooking tools in the snapper grouper fisheries when the fish is to be released as specified in 50 CFR Part §622.188.
- B. It is unlawful to possess any species of the snapper grouper complex without heads and fins intact as specified in 50 CFR Part §622.186.

XIX. **Gear Modifications**

- 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 <sup>**</sup>	Bank sea bass <sup>**</sup>
Cubera snapper	Coney	Yellowedge grouper <sup>+</sup>	Ocean triggerfish <sup>**</sup>	Margate	Black sea bass
Gray snapper	Gag	Yellowfin grouper		Sailors choice	Rock sea bass <sup>**</sup>
Lane snapper	<b>Goliath grouper*</b>	Yellowmouth grouper	<b>Jacks</b>	Tomtate	
Mutton snapper	Graysby		Almaco jack <sup>++</sup>	White grunt	
Queen snapper <sup>+</sup>	Misty grouper <sup>+</sup>	<b>Porgys</b>	Banded rudderfish <sup>++</sup>		
Red snapper	<b>Nassau grouper*</b>	Jolthead porgyx	Bar jack	<b>Spadefishes</b>	
Silk snapper <sup>+</sup>	Red grouper	Knobbed porgyx	Greater amberjack	Spadefish	
Vermilion snapper	Red hind	Longspine porgy <sup>**</sup>	Lesser amberjack <sup>++</sup>		
Yellowtail snapper	Rock hind	Red porgy		<b>Wrasses</b>	
	Scamp	Saucereye porgyx	<b>Tilefishes</b>	Hogfish	
	<b>Speckled hind*</b>	Scupx	Blueline tilefish		
	Snowy grouper	Whitebone porgyx	Golden tilefish		
	<b>Warsaw grouper*</b>		Sand tilefish <sup>+</sup>		

<sup>+</sup>Harvest prohibited; <sup>\*\*</sup>Ecosystem component species (not subject to annual catch limits or management measures; <sup>+</sup>Deepwater Complex species; <sup>++</sup>Other Jacks Complex species; <sup>x</sup>Porgies Complex species

**XX. GENERAL INFORMATION**

- A. This proclamation is issued under the authority of N.C.G.S. 113-134; 113-134.1; 113-170.4; 113-170.5; 113-182; 113-182.1; 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 their 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.
- D. The South Atlantic Fishery Management Council has identified best practices for fisherman to reduce the release mortality of red snapper and other snapper/grouper species. A list of these practices can be found in the NOAA Fishery Bulletin: <https://www.fisheries.noaa.gov/bulletin/noaa-fisheries-announces-limited-opening->

- recreational-and-commercial-red-snapper. Anglers are encouraged to release fish in a manner that encourages the highest likelihood of survival.
- 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. Anglers are asked to report and log information about their recreational trips and catches through the MyFishCount electronic reporting mobile app (available for free download at the Google Play and App Store), or through the MyFishCount website [www.myfishcount.com](http://www.myfishcount.com).
  - G. Provisions for multiple day trip possessions for vessels without a valid Federal South Atlantic Snapper Grouper Permit are found in 50 CFR Part §622.187(c). This federal 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.
  - H. Effective January 27, 2014, federal rules are amended to allow captains and crew of for-hire vessels with valid Federal South Atlantic Charter/Headboat Snapper Grouper Permits to retain bag limit quantities of all snapper grouper species during the open recreational season.
  - I. 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).
  - J. Vessels fishing in or harvesting fish from the EEZ are required to carry the appropriate federal permit when operating as a for-hire vessel. See 50 CFR Part §622.170(b).
  - K. 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.
  - L. 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://www.ncmarinefisheries.net>. For a quick guide to snapper grouper regulations, please see <https://safmc.net/regulations/>.
  - M. **This proclamation supersedes proclamation FF-1-2023 dated December 15, 2022. It reduces the recreational bag limit for red porgy to one (1) fish per person per day, or one (1) fish per person per trip, whichever is more restrictive. It also establishes a recreational fishing season with harvest only allowed from May 1 through June 30 each year. This proclamation implements the requirements of the final rule for Amendment 50 to the Snapper Grouper Fishery Management Plan of the South Atlantic. Please see the following NOAA Fishery Bulletin for more information: <https://www.fisheries.noaa.gov/bulletin/noaa-fisheries-announces-new-catch-levels-and-management-measures-south-atlantic-red>**

By:   
Kathy B. Rawls, Director  
DIVISION OF MARINE FISHERIES

January 17, 2023  
3:50 P.M.