

# Georgia Department of Natural Resources

1200 Glynn Avenue, Brunswick, Georgia 31523-9990

J. Leonard Ledbetter, Commissioner


Duane Harris, Director

Coastal Resources Division

912/264-7218

July 20, 1989

TO: All Interested Persons and Parties

FROM: Duane Harris 

SUBJECT: Notice of Proposed Rule Making

Notice is hereby given that pursuant to authority contained in the Game and Fish Code, O.C.G.A. Title 27, it is proposed to amend Rule 391-2-4 regulating saltwater fishing. The amendment would add new rules implementing seasons, creel limits, and size limits for Spanish mackerel, king mackerel, cobia, dolphin, bluefish, red snapper, gag grouper, amberjack, black sea bass, blue marlin, white marlin, sailfish, sheepshead, tarpon, Atlantic sturgeon, spotted seatrout, and red drum, and no sale provisions for billfish and tarpon.

The proposed rule (copy attached) has been revised as a result of public comment received at public hearings held in Savannah on July 17 (7:00 p.m., Commissioners' Meeting Room 607, Chatham County Courthouse) and in Brunswick on July 18 (7:00 p.m., Glynn Academy Cafeteria). Discrepancies between the first draft proposed rule and background rationale have been corrected.

The proposed action will be considered by the Board of Natural Resources on August 23, 1989 at 9:30 a.m. at Suite 1252, Floyd Towers East, 205 Butler Street, S.E., Atlanta, Georgia. If the proposed amendment is adopted, Chapter 391-2-4 of the Rules of the Georgia Department of Natural Resources will be affected.

To provide the public additional opportunity to comment on this final proposed rule, written comments will be accepted for consideration prior to the close of business (4:30 p.m.) on August 7, 1989. Written statements must be hand-delivered or postmarked on or before August 7, 1989. Statements should be mailed to:

Georgia Department of Natural Resources  
Coastal Resources Division  
Coastal Fisheries Section  
1200 Glynn Avenue  
Brunswick, Georgia 31523

DH/SS:lw

Attachment

RULES OF  
GEORGIA DEPARTMENT OF NATURAL RESOURCES  
COASTAL RESOURCES DIVISION

**DRAFT**

By authority of the Game & Fish Code, (O.C.G.A., Title 27), as amended, it is hereby proposed to amend Chapter 391-2-4, "Saltwater Fishing Regulations," as indicated below.

CHAPTER 391-2-4  
SALTWATER FISHING REGULATIONS

Chapter 391-2-4, "Saltwater Fishing Regulations," is hereby amended by adding new rules numbered 391-2-4.04 to read as follows:

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**391-2-4.04 Saltwater Finfishing.**

- 1) **Purpose.** The purpose of these Rules is to implement the authority of the Board of Natural Resources to promulgate rules and regulations based on sound principles of wildlife research and management, establishing the seasons, creel limits, and minimum sizes for certain finfish.
- 2) **Definitions.**
  - (a) "Daily creel limit" means the lawful amount of a species of finfish that a person may take in one day or possess at any one time, except at one's place of abode or at a commercial storage facility provided the Board has not prohibited sale of that species.
  - (b) "Minimum size" means the species specific size in length, specified as fork length, lower jaw fork length or total length, below which size it is unlawful to possess that finfish species.
  - (c) "Open season" means that specified period of time during which one may take from any of the waters of this state certain finfish species.

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- 3) **Seasons.** The following species may be taken in accordance with the seasons set forth below, except as otherwise specifically provided herein:

SPECIES	SEASON
(a) Spanish mackerel	Mar. 16 - Nov. 30
(b) King mackerel	All year
(c) Cobia	Mar. 16 - Nov. 30
(d) Red snapper	All Year
(e) Gag grouper	All Year
(f) Amberjack	Mar. 16 - Dec. 31
(g) Black sea bass	All Year
(h) Bluefish	Mar. 16 - Nov. 30
(i) Sheepshead	All Year
(j) Sailfish	All Year
(k) Blue marlin	All Year
(l) White marlin	All Year
(m) Tarpon	Mar. 16 - Nov. 30
(n) Atlantic sturgeon	Feb. 15 - Apr. 15
(o) Spotted seatrout	All Year
(p) Red drum	All Year
(q) Dolphin	All Year

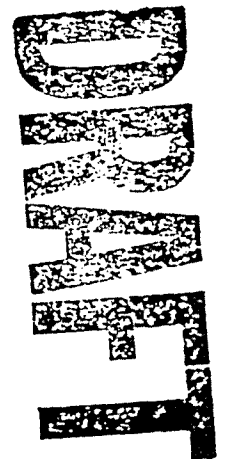
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4) **Daily Creel Limits.** The following species may be taken in accordance with the daily creel limits set forth below, except as otherwise specifically provided herein:

<u>SPECIES</u>	<u>DAILY CREEL LIMIT</u>
(a) Spanish mackerel	10
(b) King mackerel	3
(c) Cobia	3
(d) Red snapper	10
(e) Gag grouper	10
(f) Amberjack	3
(g) Black sea bass	No limit
(h) Bluefish	15
(i) Sheepshead	25
(j) Sailfish	1
(k) Blue marlin	1
(l) White marlin	1
(m) Tarpon	1
(n) Atlantic sturgeon	5
(o) Spotted sea trout	25
(p) Red drum	10
1. It shall be unlawful to have in possession more than two red drum greater than thirty-two inches (32") total length.	
(q) Dolphin	15

5) ~~Minimum~~ Size Limits. It shall be unlawful to have in possession the following species less than the minimum size limits set forth below, except as otherwise specifically provided herein:

<u>SPECIES</u>	<u>MINIMUM SIZE LIMIT</u>
(a) Spanish mackerel	twelve inches (12") fork length
1. A catch of Spanish mackerel under the minimum size limit is allowed equal to five percent by weight of the total catch of Spanish mackerel on board a trawler.	
(b) King mackerel	fifteen inches (15") fork length
(c) Cobia	thirty-three inches (33") fork length
(d) Red snapper	twelve inches (12") total length
(e) Gag grouper	twelve inches (12") total length
(f) Amberjack	twenty-eight inches (28") fork length
(g) Black sea bass	eight inches (8") total length
(h) Bluefish	twelve inches (12") fork length
(i) Sheepshead	eight inches (8") fork length
(j) Sailfish	fifty-seven inches (57") lower jaw fork length
(k) Blue marlin	eighty-six inches (86") lower jaw fork length
(l) White marlin	sixty-two inches (62") lower jaw fork length



5) (cont'd)

SPECIES	MINIMUM SIZE LIMIT
(m) Tarpon	forty inches (40") fork length
(n) Atlantic sturgeon	seventy-five inches (75") fork length
(o) Spotted seatrout	twelve inches (12") total length
(p) Red drum	fourteen inches (14") total length
(q) Dolphin	eighteen inches (18") fork length

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6) **Restrictions on Sale.** It shall be unlawful for any person in this state to sell, purchase, or barter any of the following species or part thereof, except as otherwise specifically provided herein:

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- (a) Billfish (Sailfish, Blue marlin, White marlin) harvested from its management unit as defined in Federal Regulations, 50 CFR Part 644.2.

1. A billfish that is possessed by a seafood dealer or processor will be presumed to have been harvested from its management unit unless it is accompanied by documentation that it was harvested outside its management unit. Such documentation must contain information specified in Federal Regulations, 50 CFR Part 246 for marking containers or packages of fish or wildlife that are imported, exported, or transported in interstate commerce, and must contain the information specified in Federal Regulations, 50 CFR Part 644.24.

- (b) Tarpon.

## BACKGROUND ON REVISION TO PROPOSED RULES

### Cobia

Revision of the background for cobia clarifies and provides correct information for the three-fish creel limit proposed for this species. Regional managers are concerned that cobia may be overfished and are considering implementation of a three-fish limit in addition to the existing minimum size applicable in federal waters. Georgia's proposed creel limit and minimum size are the same as existing and proposed federal regulations. The three-fish creel would impact few anglers since recreational catches are typically low. Commercial fishermen with valid federal permits would be exempt from this regulation.

### Bluefish

Expansion of the creel limit from ten fish to fifteen fish per angler per day for bluefish reflects comments and recommendations received during recent public hearings on proposed finfish regulations under Georgia Act 644. This increase will allow Georgia fishermen to take better advantage of bluefish when this species is abundant in Georgia's nearshore coastal waters. The increased creel limit will not adversely impact the stock since Georgians take relatively few bluefish, with state landings comprising less than one percent of the total harvest for this species along the Atlantic coast.

### Tarpon

Prohibition of the sale of tarpon also reflects comments received during public hearings. This measure will provide increased protection to this increasingly popular sportfish. The fighting abilities of this species make it extremely popular with saltwater sportfishermen throughout its range; however, as tarpon are considered extremely poor table fare the majority of the tarpon caught are released. The few tarpon that are retained are preserved intact for display purposes. No commercial fishery for tarpon in the inshore, nearshore, and offshore waters of Georgia exists. The "no sale" provision will not impact the availability of tarpon to the nonfishing public. "No sale" status in conjunction with the proposed season, daily bag, and minimum length limits will help prevent unregulated harvest while allowing anglers to retain one trophy tarpon.

### Dolphin

Revision of the creel limit for dolphin corrects discrepancies between the proposed rules and background information initially provided for this species. As stated, the intended 15 fish creel limit allows anglers to maximize infrequent fishing opportunities when dolphin are abundant off Georgia. Impacts of the creel limit on anglers and charter fishermen will be negligible since only two percent of the South Atlantic charter trips catch more than 15 dolphin per person. Individuals with valid federal commercial permits will be exempted from the daily creel limit. The 15-fish creel limit, combined with the proposed minimum size limit, will help maintain regional dolphin stocks and fisheries.