



COASTAL RESOURCES DIVISION

ONE CONSERVATION WAY · BRUNSWICK, GA 31520 · 912-264-7218

WALTER RABON
COMMISSIONER

DOUG HAYMANS
DIRECTOR

September 1, 2023

MEMORANDUM

TO: Members, Board of Natural Resources

FROM: Doug Haymans

SUBJECT: Proposed Amendment to the Rules of the Georgia Department of Natural Resources, Saltwater Fishing Regulations, Subject 391-2-4

The Coastal Resources Division is proposing two changes to the Rules of the Georgia Department of Natural Resources, Saltwater Fishing Regulations, Subject 391-2-4. Both proposed changes will ensure Georgia's compliance with the Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Plan for Atlantic Coastal Sharks. Georgia, as an ASMFC member, has an affirmative obligation to implement the management measures contained within this interstate fishery management plan.

Included in this packet are the following:

- Proposed Notice Page A-2
- Background and Synopsis Pages A-3 thru 5
- Date, time and place of Board action Page A-5
- Explanation of the Public Participation Plan Page A-6
- Analysis of Small Business Impacts Page A-7
- Strike-thru Rule Pages A-8 thru 13
- Exact Copy Rule Pages A-14 thru 18

I respectfully submit these items for your consideration. The Coastal Resources Division looks forward to presenting these at the September meeting.

DH/cb

Attachments



DEPARTMENT OF NATURAL RESOURCES
COASTAL RESOURCES DIVISION
ONE CONSERVATION WAY · BRUNSWICK, GA 31520 · 912-264-7218

WALTER RABON
COMMISSIONER

DOUG HAYMANS
DIRECTOR

September 1, 2023

NOTICE OF PROPOSED REGULATION CHANGES

TO: All Interested Persons and Parties
FROM: Doug Haymans
SUBJECT: Notice of Rule Making for Saltwater Finfishing for Sharks

Notice is hereby given that, pursuant to authority contained in the Game and Fish Code (Official Code of Georgia Annotated, Title 27; O.C.G.A. §27-1-4), the Board of Natural Resources proposes to amend the Rules of the Georgia Department of Natural Resources, Saltwater Fishing Regulations, Subject 391-2-4. The proposed amended Rule, when adopted, will reorganize the shark species section of the regulations table to address catch limits for Hammerheads and Shortfin Mako Sharks; both measures are required for Georgia to remain in compliance with the Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Plan for Atlantic Coastal Sharks.

Written public comment will be received through Wednesday, November 1, 2023. Mailed comments must be postmarked by November 1st and e-mailed comments will be accepted through close of business (4:30 pm) on November 1st. Comments should be legible, concise, and limited to the proposed rule change.

Following this comment period, the Board of Natural Resources will consider the proposed rules on Tuesday, December 5, 2023, at 9:00 AM at the Brasstown Valley Resort, Creekside Pavilion, 6321 Highway 76, Young Harris, GA 30582.

Mail or email comments to: Carolyn Belcher
Coastal Resources Division
One Conservation Way
Brunswick, GA 31520
carolyn.belcher@dnr.ga.gov

Additional information is available at www.coastalgadnr.org. Click in the “Quick Links”.

**BACKGROUND AND SYNOPSIS OF
PROPOSED AMENDMENTS TO THE RULES OF THE
GEORGIA DEPARTMENT OF NATURAL RESOURCES**

**CHAPTER 391-2
COASTAL RESOURCES**

**SUBJECT 391-2-4
SALTWATER FISHING REGULATIONS**

Background

During the June 2022 Atlantic States Marine Fisheries Commission (ASMFC) compliance report review for coastal sharks, it was noted that Georgia’s recreational fishing regulations for Shortfin Mako and hammerhead sharks were not compliant with the Interstate Fishery Management Plan for Atlantic Coastal Sharks (hereafter referred to as Interstate Shark Plan). The Interstate Shark Plan recognizes that coordinated state-federal management is essential for establishing healthy self-sustaining populations of Atlantic coastal shark species. ASMFC is ensuring that measures adopted in state waters are conservation equivalents with requirements for federal highly migratory species (HMS) permit holders under the federal shark fishery management plan. Federal law requires that states comply with the terms and conditions of interstate fishery management plans promulgated by ASMFC and as an ASMFC member, Georgia has an affirmative obligation to adopt compatible management measures for Atlantic coastal sharks when they are deemed to be consistent with the interests of the state.

Language in the Coastal Sharks Interstate Shark plan limits anglers to only one shark per person or vessel per day from a list of federal recreationally permitted species which includes hammerhead species and Shortfin Mako Sharks. When size changes were implemented for hammerheads (in 2013) and shortfin mako (2019) they were separated from the permitted species list and given independent creel limits of 1 per person or vessel per day, which inadvertently increased the potential daily creel limit for federally permitted species from one to three.

Shortfin Mako Sharks are managed domestically by NOAA Fisheries’ Highly Migratory Species (HMS) Division; however, they are also managed internationally through the International Commission for the Conservation of Atlantic Tuna (ICCAT). HMS represents the United States’ interest in fisheries governed by this commission. Any recommendation put forth by ICCAT are binding and must be addressed to avoid possible trade restrictions on US fish or additional measures against the US. In 2021, ICCAT recommended a prohibition on retention of Shortfin Mako Shark in 2022 and 2023. Future retention limits would be considered after 2023. In May 2022 ASMFC closed the commercial and recreational fisheries for Shortfin Mako Sharks to be consistent with federal regulations for this species.

Georgia has fewer than three federally permitted shark dealers. Because they hold a federal permit, they are required to follow all federal regulations pertaining to shark species regardless of where they are captured. Similarly, recreational anglers who fish for sharks in federal waters are required to obtain an Atlantic Highly Migratory Species Angling Permit. Anglers with this permit are also required to follow all federal regulations for sharks regardless of where they are fishing.

The Marine Recreational Information Program (MRIP) provides information on recreational effort and estimated catch of fish species. A recent query of data for Shortfin Mako Sharks and the three hammerhead species (i.e., scalloped, great, and smooth) representing the past ten years indicated limited landings (<1,500 fish) for scalloped hammerhead in 2019, 2020, and 2022; however, the percent standard error associated with those years indicate these values are highly uncertain. The remaining three species had no estimates of landings during any of the 10 years.

Purpose

The purpose of the proposed amended Rule is to assure Georgia's full compliance with the Interstate Shark Plan. Prior to 2013, shortfin mako and hammerhead sharks were included in the "Sharks" aggregate which included 16 species that were managed with 54" Fork Length (FL) and daily creel of 1 per person or vessel per day. In 2013, Hammerheads were removed from "Sharks" to account for a size limit change (78" FL) and in 2019, Shortfin Mako Sharks underwent a similar change to 83" FL. Unfortunately, the resulting paragraph structure in both board rule changes erroneously excluded hammerheads and shortfin mako shark from the aggregate creel limit. To bring Georgia's regulations into compliance, CRD is proposing a change in paragraph structure under Board Rule 391-2-4-.04 to correct the issue.

To address the closure of the commercial and recreational fisheries for Shortfin Mako Sharks, CRD is proposing to change the season from "All Year" to "When Federal Quota is Available". By changing the Season and not the Daily Creel and Possession Limit, Georgia anglers will be able to catch Shortfin Mako Sharks when NOAA Fisheries increases the current quota from zero in future actions.

Main Features

The primary features of the proposed amendment are: (1) restructure the shark related subparagraphs in Rule 391-2-4-.04 to ensure the daily creel limit of 1 per person or vessel per day is defined to apply to the aggregate of "Hammerheads", "Shortfin Mako Shark", and "Shark", and (2) change the open season for Shortfin Mako Sharks.

Differences

Enumerated below are the primary differences between the current Rule 391-2-4-.04 and the proposed amended Rule:

- 1) Subparagraph (3)(r) “Sharks” is proposed to be modified to account for the different management groupings of shark species;
- 2) New subparagraph (3)(r.1) is proposed to be created to account for the fishery specifications for the “Small Shark Composite”;
- 3) New subparagraph (3)(r.2) is proposed to be created for the fishery specifications for “Sharks”;
- 4) Subparagraph (3)(r.3) is proposed to be created for the fishery specifications for “Hammerhead Sharks”;
- 5) Subparagraph (3)(r.4) is proposed to be created for the fishery specifications for “Shortfin Mako Sharks” and will include a change in Season from “All Year” to “When Federal Quota is Available”.
- 6) Subparagraph (3)(t) is proposed to be changed to “Reserved”;
- 7) Subparagraph (3)(cc) is proposed to be struck; and
- 8) Subparagraph (3)(dd) is proposed to be struck”.

Date , Time, and Place of Board Action:

Board Action: Tuesday, December 5, 2023, 9:00 AM, at the Brasstown Valley Resort, Creekside Pavilion, 6321 Highway 76, Young Harris, GA 30582.

**Public Participation Plan
Amendment to Saltwater Fishing Regulations, Subject 391-2-4**

CRD expects the change resulting from the proposed amendments to have little impact on recreational fishers, fishing-related businesses, or the general public.

Public Participation Plan Timeline

- June 2022 – ASMFC notes Georgia is out of compliance with the Interstate Fishery Management Plan (ISFMP) for Atlantic Coastal Sharks.
- September 26, 2023 - CRD presents proposed amended Rule 391-2-4-.04 to the Board of Natural Resources, Coastal Committee.
- September 27, 2023 - Public Notice of written comment period. Advertised through various print media, Gov Delivery and on the CRD website.
- November 1, 2023 – Public comment period closes.
- December 5, 2023 - Consideration of public comment and final action on proposed amendments.



COASTAL RESOURCES DIVISION
ONE CONSERVATION WAY · BRUNSWICK, GA 31520 · 912-264-7218

WALTER RABON
COMMISSIONER

DOUG HAYMANS
DIRECTOR

September 1, 2023

MEMORANDUM

TO: Board of Natural Resources

FROM: Doug Haymans

SUBJECT: Economic Impact of Proposed Amended Rule on Small Businesses:
Subject 391-2-4, Saltwater Fishing Regulations

The Administrative Procedures Act requires that during the formation and adoption of any Rules attempts shall be made to reduce the economic impact of those rules on small businesses. This applies to businesses that are independently owned and operated, are not dominant in the field, and employ 100 employees or less.

Although hammerhead sharks occur in state waters, very few recreational anglers target larger sharks for retention as evidenced by low catch estimates for these species. The proposed administrative changes should have no negative impacts on small businesses.

Shortfin Mako Sharks do not occur in Georgia waters. As such, the proposed season closure for Shortfin Mako Sharks should have no negative impacts on small businesses. If anything, the net long-term consequence should be positive as the proposed Rule will help conserve these species of sharks thereby ensuring future fishing opportunities.

DH/cb

**STRIKETHROUGH VERSION
ADDITIONS ARE UNDERLINED AND DELETIONS ARE
~~STRIKETHROUGH~~**

**RULES
OF
GEORGIA DEPARTMENT OF NATURAL RESOURCES**

**CHAPTER 391-2
COASTAL RESOURCES**

**SUBJECT 391-2-4
SALTWATER FISHING REGULATIONS**

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, methods of fishing, and disposition; size, possession, and creel limits; and gear and landing specifications for certain finfish.

(2) **Definitions.**

(a) "Billfish" means Blue Marlin (*Makaira nigricans*), White Marlin (*Tetrapturus albidus*) and Sailfish (*Istiophorus albicans*).

(b) "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.

(c) "Hammerhead Sharks" means a group of sharks inclusive of great hammerhead (*Sphyrna mokarran*), scalloped hammerhead (*Sphyrna lewini*) and smooth hammerhead (*Sphyrna zygaena*).

(d) "Handline" means a mainline to which no more than two hooks are attached and which is retrieved by hand without the aid of mechanical devices.

(e) "Landed" means to bring fish to shore in this state, regardless of the jurisdiction from which they were taken or harvested.

(f) "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.

(g) "Maximum size" means the species' specific size in length, specified as fork length, lower jaw fork length or total length, above which size it is unlawful to possess that finfish species.

(h) "Open Season" means that specified period of time during which one may take from any of the waters of this state certain finfish species.

(i) "Prohibited Sharks" means a group of sharks inclusive of sand tiger (*Carcharia staurus*), sandbar shark (*Carcharhinus plumbeus*), silky shark (*Carcharhinus falciformis*), bigeye sandtiger (*Odontaspis noronhai*), whale shark (*Rhincodon typus*), basking shark (*Cetorhinus maximus*), white shark (*Carcharodon carcharias*), dusky shark (*Carcharhinus obscurus*), bignose shark (*Carcharhinus altimus*), Galapagos shark (*Carcharhinus galapagensis*), night shark (*Carcharhinus signatus*), reef shark (*Carcharhinus perezii*), narrowtooth shark (*Carcharhinus brachyurus*), Caribbean sharpnose shark (*Rhizoprionodon porosus*), smalltail shark (*Carcharhinus porosus*), Atlantic angel shark (*Squatina dumeril*), longfin mako (*Isurus paucus*), bigeye thresher (*Alopias superciliosus*), sharpnose sevengill shark (*Hepttranchias*

Saltwater Fishing Regulations

Subject 391-2-4

perlo), bluntnose sixgill shark (*Hexanchus griseus*), bigeye sixgill (*Carcharhinus longimanus*).

(j) "Sharks" means all species of sharks other than those comprising the small shark composite as defined in subparagraph 2(k), hammerhead sharks as defined in subparagraph 2(c), prohibited sharks as defined in subparagraph 2(i), and individual species regulated by this rule.

(k) "Small Shark Composite" means a group of sharks inclusive of Atlantic sharpnose shark (*Rhizoprionodon terraenovae*), bonnethead (*Sphyrna tiburo*), and spiny dogfish (*Squalus acanthias*).

(3) Seasons, Daily Creel and Possession Limits, Minimum and Maximum Size Limits. The following species may be taken in accordance with the seasons, daily creel and possession limits, and minimum and maximum size limits set forth below, except as otherwise specifically provided herein:

SPECIES	SEASON	Daily Creel and Possession Limit	Minimum Size (inches)	Maximum Size (inches)
(a) Amberjack	All Year	1	28 FL	
(b) Atlantic croaker	All Year	25		
(c) Atlantic sturgeon	No Open Season has been established by the Board of Natural Resources.			
(d) Black drum	All Year	15	14 TL	
(e) Black sea bass	All Year	15	12 TL	
(f) Reserved				
(g) Bluefish	All Year	15	12 TL	
(h) Cobia	March 1 – October 31	1 per person not to exceed 6 per boat	36 FL	
(i) Dolphin	All Year	10 per person not to exceed 54 per boat.	20 FL	
1. Headboats with a valid certificate of inspection are allowed 10 dolphin per paying passenger.				
(j) Flounder (<i>Paralichthys spp.</i>)	All Year	15	12 TL	
(k) Gag grouper	All Year	2	24 TL	
(l) King mackerel	All Year	3	24 FL	
(m) Red Drum	All Year	5	14 TL	23TL
(n) Red Porgy	All Year	3	14 TL	
(o) Red Snapper	All Year	2	20 TL	
(p) Reserved				

Subject 391-2-4

Saltwater Fishing Regulations

(q) Prohibited Sharks	Unlawful to possess.			
(r) Sharks	All Year	1 per person or boat	54 FL	
(r.1.) Small Shark Composite	All Year	1	30 FL	
(r.2.) Sharks		1 per person or boat	54 FL	
(r.3.) Hammerhead Sharks			78 FL	
(r.4.) Shortfin Mako Shark	When Federal Quota is Available		83 FL	
(s) Sheepshead	All Year	15	10 TL	
(t) Small Shark Composite Reserved	All Year	1	30 FL	
(u) Spanish mackerel	All Year	15	12 FL	
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.				
(v) Spot	All Year	25		
(w) Spotted sea trout	All Year	15	14 TL	
(x) Tarpon	All Year	1	68 TL	
(y) Tripletail	All Year	2	18 TL	
(z) Weakfish	All Year	1	13 TL	
(aa) Reserved				
(bb) American eel	All Year	25	9 TL	
(cc) Hammerhead Sharks	All Year	1 per person or boat	78 FL	
(dd) Shortfin Mako Shark	All Year	1 per person or boat	83 FL	

(4) 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:

(a) No person operating as a dealer may buy or sell sharks, small shark composite species, hammerhead sharks, and shortfin mako sharks caught in state waters without first obtaining a federal Commercial Shark Dealer Permit and when state or federal quotas for species within those groups have been reached.

(b) Tarpon.

(c) No person may sell any fish managed under federal law and harvested from either Georgia waters or the South Atlantic Exclusive Economic Zone except when the catch of such fish is allowed by applicable federal law. This prohibition of sale does not apply to fish harvested, landed, and sold in compliance with applicable federal law and held in cold storage by a seafood dealer

Saltwater Fishing Regulations

Subject 391-2-4

or processor. This prohibition also does not apply to a seafood dealer's purchase or sale of fish harvested from waters other than those of Georgia or the South Atlantic Exclusive Economic Zone, provided such fish is accompanied by documentation of legal harvest.

(d) Reserved

(e) Reserved

(5) Possession and Landing Specifications.

(a) All fish subject to restrictions specified in this Rule may be possessed in state waters or landed only with head and fins intact, except that when landed for commercial purposes, all sharks, small shark composite species, hammerhead sharks, and shortfin mako sharks may have the heads removed but fins and tail must remain naturally attached.

(b) It shall be unlawful to transfer at sea in State waters from a fishing vessel to any other vessel or person any fish caught which are subject to the restrictions specified in this Rule.

(c) Except as otherwise provided by law, it shall be unlawful to fish for sharks, small shark composite species, hammerhead sharks, or shortfin mako sharks for recreational purposes with any gear other than rod and reel or handline as defined in subparagraph (2)(d) above. Additionally, anglers must use non-offset, corrodible, non-stainless-steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures.

(d) Except as otherwise provided by law, trawlers fishing for shrimp for human consumption pursuant to Code Section 27-4-133 shall be exempt from the creel and possession limits for spot and Atlantic croaker.

Subject 391-2-4

Saltwater Fishing Regulations

(e) Except as otherwise specifically provided herein, in state waters the size, catch, creel and possession limits, fishing period closures, and requirements pertaining to the taking, release, landing, sale, purchase, trade, or barter of billfish shall be prescribed by federal regulations implemented under the Fishery Conservation and Management Act (PL 94-265) and the Consolidated Atlantic Highly Migratory Species Fishery Management Plan.

Authority: O.C.G.A. §§ 12-2-24, 27-1-4, 27-4-10.

EXACT COPY VERSION

**RULES
OF
GEORGIA DEPARTMENT OF NATURAL RESOURCES**

**CHAPTER 391-2
COASTAL RESOURCES**

SUBJECT 391-2-4 SALTWATER FISHING REGULATIONS

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, methods of fishing, and disposition; size, possession, and creel limits; and gear and landing specifications for certain finfish.

(2) **Definitions.**

(a) "Billfish" means Blue Marlin (*Makaira nigricans*), White Marlin (*Tetrapturus albidus*) and Sailfish (*Istiophorus albicans*).

(b) "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.

(c) "Hammerhead Sharks" means a group of sharks inclusive of great hammerhead (*Sphyrna mokarran*), scalloped hammerhead (*Sphyrna lewini*) and smooth hammerhead (*Sphyrna zygaena*).

(d) "Handline" means a mainline to which no more than two hooks are attached and which is retrieved by hand without the aid of mechanical devices.

(e) "Landed" means to bring fish to shore in this state, regardless of the jurisdiction from which they were taken or harvested.

(f) "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.

(g) "Maximum size" means the species' specific size in length, specified as fork length, lower jaw fork length or total length, above which size it is unlawful to possess that finfish species.

(h) "Open Season" means that specified period of time during which one may take from any of the waters of this state certain finfish species.

(i) "Prohibited Sharks" means a group of sharks inclusive of sand tiger (*Carchariastaurus*), sandbar shark (*Carcharhinus plumbeus*), silky shark (*Carcharhinus falciformis*), bigeye sandtiger (*Odontaspis noronhai*), whale shark (*Rhincodon typus*), basking shark (*Cetorhinus maximus*), white shark (*Carcharodon carcharias*), dusky shark (*Carcharhinus obscurus*), bignose shark (*Carcharhinus altimus*), Galapagos shark (*Carcharhinus galapagensis*), night shark (*Carcharhinus signatus*), reef shark (*Carcharhinus perezii*), narrowtooth shark (*Carcharhinus brachyurus*), Caribbean sharpnose shark (*Rhizoprionodon porosus*), smalltail shark (*Carcharhinus porosus*), Atlantic angel shark (*Squatina dumeril*), longfin mako (*Isurus paucus*), bigeye thresher (*Alopias superciliosus*), sharpnose sevengill shark (*Heptranchias perlo*), bluntnose sixgill shark (*Hexanchus griseus*), bigeye sixgill (*Carcharhinus longimanus*).

Saltwater Fishing Regulations

Subject 391-2-4

(j) "Sharks" means all species of sharks other than those comprising the small shark composite as defined in subparagraph 2(k), hammerhead sharks as defined in subparagraph 2(c), prohibited sharks as defined in subparagraph 2(i), and individual species regulated by this rule.

(k) "Small Shark Composite" means a group of sharks inclusive of Atlantic sharpnose shark (*Rhizoprionodon terraenovae*), bonnethead (*Sphyrna tiburo*), and spiny dogfish (*Squalus acanthias*).

(3) Seasons, Daily Creel and Possession Limits, Minimum and Maximum Size Limits. The following species may be taken in accordance with the seasons, daily creel and possession limits, and minimum and maximum size limits set forth below, except as otherwise specifically provided herein:

SPECIES	SEASON	Daily Creel and Possession Limit	Minimum Size (inches)	Maximum Size (inches)
(a) Amberjack	All Year	1	28 FL	
(b) Atlantic croaker	All Year	25		
(c) Atlantic sturgeon	No Open Season has been established by the Board of Natural Resources.			
(d) Black drum	All Year	15	14 TL	
(e) Black sea bass	All Year	15	12 TL	
(f) Reserved				
(g) Bluefish	All Year	15	12 TL	
(h) Cobia	March 1 – October 31	1 per person not to exceed 6 per boat	36 FL	
(i) Dolphin	All Year	10 per person not to exceed 54 per boat.	20 FL	
1. Headboats with a valid certificate of inspection are allowed 10 dolphin per paying passenger.				
(j) Flounder (<i>Paralichthys spp.</i>)	All Year	15	12 TL	
(k) Gag grouper	All Year	2	24 TL	
(l) King mackerel	All Year	3	24 FL	
(m) Red Drum	All Year	5	14 TL	23TL
(n) Red Porgy	All Year	3	14 TL	
(o) Red Snapper	All Year	2	20 TL	
(p) Reserved				
(q) Prohibited Sharks	Unlawful to possess.			
(r) Sharks				
(r.1.) Small Shark Composite	All Year	1	30 FL	
(r.2.) Sharks		1 per person or boat	54 FL	
(r.3.) Hammerhead Sharks			78 FL	

Subject 391-2-4

Saltwater Fishing Regulations

(r.4.) Shortfin Mako Shark	When Federal Quota is Available		83 FL	
(s) Sheepshead	All Year	15	10 TL	
(t) Reserved				
(u) Spanish mackerel	All Year	15	12 FL	
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.				
(v) Spot	All Year	25		
(w) Spotted sea trout	All Year	15	14 TL	
(x) Tarpon	All Year	1	68 TL	
(y) Tripletail	All Year	2	18 TL	
(z) Weakfish	All Year	1	13 TL	
(aa) Reserved				
(bb) American eel	All Year	25	9 TL	

(4) 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:

(a) No person operating as a dealer may buy or sell sharks, small shark composite species, hammerhead sharks, and shortfin mako sharks caught in state waters without first obtaining a federal Commercial Shark Dealer Permit and when state or federal quotas for species within those groups have been reached.

(c) Tarpon.

(c) No person may sell any fish managed under federal law and harvested from either Georgia waters or the South Atlantic Exclusive Economic Zone except when the catch of such fish is allowed by applicable federal law. This prohibition of sale does not apply to fish harvested, landed, and sold in compliance with applicable federal law and held in cold storage by a seafood dealer or processor. This prohibition also does not apply to a seafood dealer's purchase or sale of fish harvested from waters other than those of Georgia or the South Atlantic Exclusive Economic Zone, provided such fish is accompanied by documentation of legal harvest.

(f) Reserved

(g) Reserved

(5) Possession and Landing Specifications.

(a) All fish subject to restrictions specified in this Rule may be possessed in state waters or landed only with head and fins intact, except that when landed for commercial purposes, all sharks, small shark composite species, hammerhead sharks, and shortfin mako sharks may have the heads removed but fins and tail must remain naturally attached.

(b) It shall be unlawful to transfer at sea in State waters from a fishing vessel to any other vessel or person any fish caught which are subject to the restrictions specified in this Rule.

(c) Except as otherwise provided by law, it shall be unlawful to fish for sharks, small shark composite species, hammerhead sharks, or shortfin mako sharks for recreational purposes with any gear other than rod and reel or handline as defined in subparagraph (2)(d) above. Additionally, anglers must use non-offset, corrodible, non-stainless-steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures.

(d) Except as otherwise provided by law, trawlers fishing for shrimp for human consumption pursuant to Code Section 27-4-133 shall be exempt from the creel and possession limits for spot and Atlantic croaker.

(e) Except as otherwise specifically provided herein, in state waters the size, catch, creel and possession limits, fishing period closures, and requirements pertaining to the taking, release, landing, sale, purchase, trade, or barter of billfish shall be prescribed by federal regulations implemented under the Fishery Conservation and Management Act (PL 94-265) and the Consolidated Atlantic Highly Migratory Species Fishery Management Plan.

Authority: O.C.G.A. §§ 12-2-24, 27-1-4, 27-4-10.