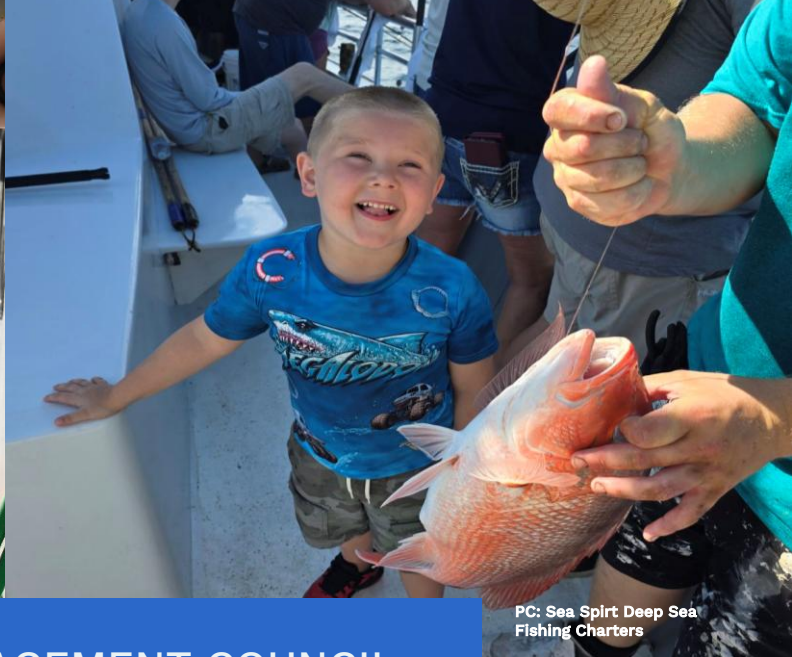




PC: Sea Spirit Deep Sea Fishing Charters

THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

Snapper Grouper Regulatory Amendment 38

Revising headboat vessel limits for gag and black grouper

Decision Document, September 2026

Amendment Background

In **December 2024** staff presented a [description of the headboat fishery](#), trends in effort, commonly caught species, and catch per unit effort (CPUE) for select species. After that report the Council requested additional, more detailed information including vessel capacity, discards, etc. be provided for review in June 2025. In June 2025, staff presented [highlights from a report](#) prepared by the Southeast Fisheries Science Center (SEFSC) and the SG Committee expressed the intent to continue the discussion, focusing solely on snapper grouper species.

The full SEFSC document can be found [HERE](#).

In **September 2025**, the Council directed staff to investigate vessel limits and catch rates for **gag, black grouper, scamp/yellowmouth grouper**, and **snowy grouper**, provide the regulatory definition of a headboat, and gather feedback from the Law Enforcement AP (LE AP) on the enforceability of vessel limits per 6 passengers.

In December 2025, the Council requested an exploratory analysis of the impact of changing from a **per vessel limit** for **gag, black grouper, scamp**, and **snowy grouper** to a **one fish limit per every 6 passengers**. Vessel limits were established for gag and black grouper in 2023 (Amendment 53) and revised in Regulatory Amendment 36 (under review) and snowy grouper in 2015 (Regulatory Amendment 20).

In **March 2026**, snowy grouper was removed from consideration for this amendment and in **June 2026** scamp/yellowmouth grouper was removed from consideration because it does not have a vessel limit in place and therefore applying a vessel limit to only the headboat component would be more limiting. The **LE AP provided the following in January 2026**:

- Enforceability depends on clear, simple rules and ability to verify passenger counts and fish onboard.
- Avoid percentage-based limits.
- Require headboats to maintain passenger records that can be reviewed at boarding to facilitate verification of allowable catch.
- Multiple vessel sizes and capacities may complicate management, any specific enforcement (based on certificate of inspection [COI] or permit) would require accessible information for LE to be effective.
- Vessel-based limits could effectively increase total catch.

The **Snapper Grouper Advisory Panel (SG AP)** recommended that the Council consider vessel limits in proportion to the number of anglers for federally permitted headboats. The AP noted that this would benefit vessels larger than 6-pack charters (~7-20 anglers) and larger headboats (20+ anglers). The AP suggested exploring the following:

- 4 fish per 10-30 passengers.
- 6 fish for 30 passengers, 30% of the passenger count, maximum of 10 fish per vessel.

At Your Last Meeting (June 2026)

- During the [June 2026 meeting](#), the Council did the following:
 - Discussed the definition of a headboat for the purpose of this amendment and directed staff to investigate what criteria will be used for the vessel limit to ensure that all vessels participating in the SRHS are included in this action.
 - Removed Action 2 for scamp/yellowmouth grouper as it would be more restrictive than the bag limit that was implemented in Amendment 55.
 - Modified the Purpose and Need statement to reflect the removal of this action.
 - From Action 1, removed Alternative 2 and added sub-alternatives to implement max fish per vessel options.

Public Input Received

- Of the 22 comments received at the June 2026 Council meeting, 4 commenters mentioned this amendment.
 - All 4 comments expressed support for the amendment.
 - Suggestions were made to keep it simple to ensure it is easy to remain compliant.

Objectives for this Meeting (September 2026)

- Review amendment timeline.
- Review updated headboat **vessel limit criteria**.
- Review and approve the Purpose & Need statements.
- Review draft actions and alternatives and modify if necessary.
- Review preliminary analysis.

Tentative Amendment Timing

✓ June 2026	Review draft actions and alternatives
September 2026	Review decision document and preliminary analysis and make any modifications to the Purpose and Needs and Actions and Alternatives
December 2026	Review public hearing document, select preferred alternatives and approve for public hearings
Early 2027	Conduct public hearings
March 2027	Review public hearing comments
June 2027	Review final draft and consider for final approval

Headboat Vessel Limit Criteria

- CFR definition of a headboat:
 - **50 CFR 622.2 ([LINK](#))**: Means a vessel that holds a valid Certificate of Inspection (COI) issued by the USCG to carry more than six passengers for hire.

(1) A headboat with a commercial vessel permit, as required under this part, is considered to be operating as a headboat when it carries a passenger who pays a fee or—

(i) In the case of persons aboard fishing for or possessing South Atlantic snapper-grouper, when there are more persons aboard than the number of crew specified in the vessel's COI; or

(ii) In the case of persons aboard fishing for or possessing coastal migratory pelagic fish, when there are more than three persons aboard, including operator and crew.
- Required permit: [South Atlantic Charter/Headboat for Snapper-Grouper For-Hire Fishing Permit \(Open Access\)](#)
- Southeast Region Headboat Survey
 - Considers a headboat to be a vessel that **typically carries more than 6 passengers** and where **passengers pay a per-head fee (not a flat fee for the whole boat)**.
 - Selection for the SRHS is based on the permit.
- **IPT Recommendation for the headboat vessel limit criteria**: The IPT recommends using a combination of the permit and the participation in the SRHS as the criteria to retain the

proposed headboat vessel limit. See the purpose and need statements for proposed language

Purpose and Need Statements

Purpose: The **purpose** of this framework amendment is to revise the for-hire vessel limit for gag and black grouper, to allow vessels that participate in the Southeast Region Headboat Survey and have a valid South Atlantic Snapper-Grouper Charter/Headboat (Open Access) Permit to retain a per-six-passenger limit of gag and black grouper.

Need: The **need** for this framework amendment is to allow for greater efficiency and increased profitability for federally permitted headboats that meet the criteria for the headboat vessel limit, while minimizing, to the extent practicable, adverse social and economic effects.

Committee Action

- REVIEW THE PURPOSE AND NEED AND APPROVE.

DRAFT MOTION: APPROVE THE PURPOSE AND NEED FOR REGULATORY AMENDMENT 38.

Proposed Action and Alternatives

Action 1. Revise the for-hire vessel limits for gag and black grouper.

Alternative 1 (No Action). Within the 3-fish combined grouper and tilefish aggregate bag limit, the daily bag limit is one gag or black grouper, combined. The for-hire vessel limit for gag and black grouper is 2 fish per trip in any combination; the more restrictive limit applies. Captain and crew may not retain gag or black grouper.

NOTE: *The No Action alternative assumes the implementation of Regulatory Amendment 36, which is currently (as of August 2026) in the final rule phase of rulemaking.*

Alternative 2. Modify the for-hire vessel limit to be **2 gag or black grouper, in any combination per 6 passengers** for vessels with the South Atlantic Charter/Headboat for Snapper-Grouper For-Hire Fishing Permit (Open Access) and participates in the Southeast Region Headboat Survey (SRHS). Any vessel that has a valid South Atlantic Charter/Headboat for Snapper-Grouper For-Hire Fishing Permit (Open Access) and does not participate in the SRHS would have a vessel limit of 2 gag or black grouper combined per vessel per day. Captain and crew may not retain gag or black grouper.

Sub-Alternative 2a. The maximum number of gag or black grouper, combined, is 8 fish per vessel.

Sub-Alternative 2b. The maximum number of gag or black grouper, combined, is 10 fish per vessel.

Sub-Alternative 2c. The maximum number of gag or black grouper, combined, is 12 fish per vessel.

Discussion

- The gag fishery is currently under a rebuilding plan and after the implementation of Amendment 53 has been meeting its ACL each year.
 - 2023: Recreational closed 10/23/23
 - 2024: Recreational closed 6/15/24
 - 2025: Recreational closed 6/26/25
 - 2026: Recreational closed 8/2/26
- Vessels that meet the criteria for the headboat vessel limit would be allowed to retain 2 fish per 6 passengers, but would only be allowed to retain more than 2 fish if they had the appropriate number of passengers on board:
 - A vessel would need to have at least 12 passengers on board to retain 4 fish (Table 1).
 - A vessel would need to have at least 18 passengers on board to retain 6 and so on. If the vessel had 11 people, it would be limited to 2 fish. If the vessel had 17 people, it would be limited to 4 fish.

- This amendment will not modify the recreational vessel limit for private recreational, charter vessels, and any vessel that does not meet the criteria to retain the headboat vessel limit (Table 2).

Table 1. The number of gag and black grouper that can be retained per six passengers on a headboat that meets the criteria for the headboat vessel limit under **Action 1, Alternative 2**. The max number of fish per vessel under **Alternative 2, Sub Alternatives 2a, 2b, and 2c** are shown as **purple, orange, and green** lines, respectively.

Number of passengers (in groups of 6)	Headboat Limit of 2 fish per 6 passengers (Alternative 2)
2 to 11 people	2 fish per vessel
12 to 17 people	4 fish per vessel
18 to 23 people	6 fish per vessel
24 to 29 people	8 fish per vessel
30 to 35 people	10 fish per vessel
36 to 41 people	12 fish per vessel
42 to 47 people	14 fish per vessel
48 to 53 people	16 fish per vessel
54 to 59 people	18 fish per vessel
60 to 65 people	20 fish per vessel
66 to 71 people	22 fish per vessel
72 to 77 people	24 fish per vessel

Table 2. The number of gag and black grouper that can be retained for charter and private recreational vessels under the current vessel limit, which will **not be modified** through this action.

Number of passengers	Most Restrictive Private/Charter Limit
1 person	1 fish per person (bag limit)
2 people	1 fish bag/2 fish per vessel
3+ people	2 fish per vessel

Preliminary Analysis

- The preliminary analysis uses data from the SRHS from 2021 through 2025.
- FL and GA have been aggregated because of the low number of GA headboats.

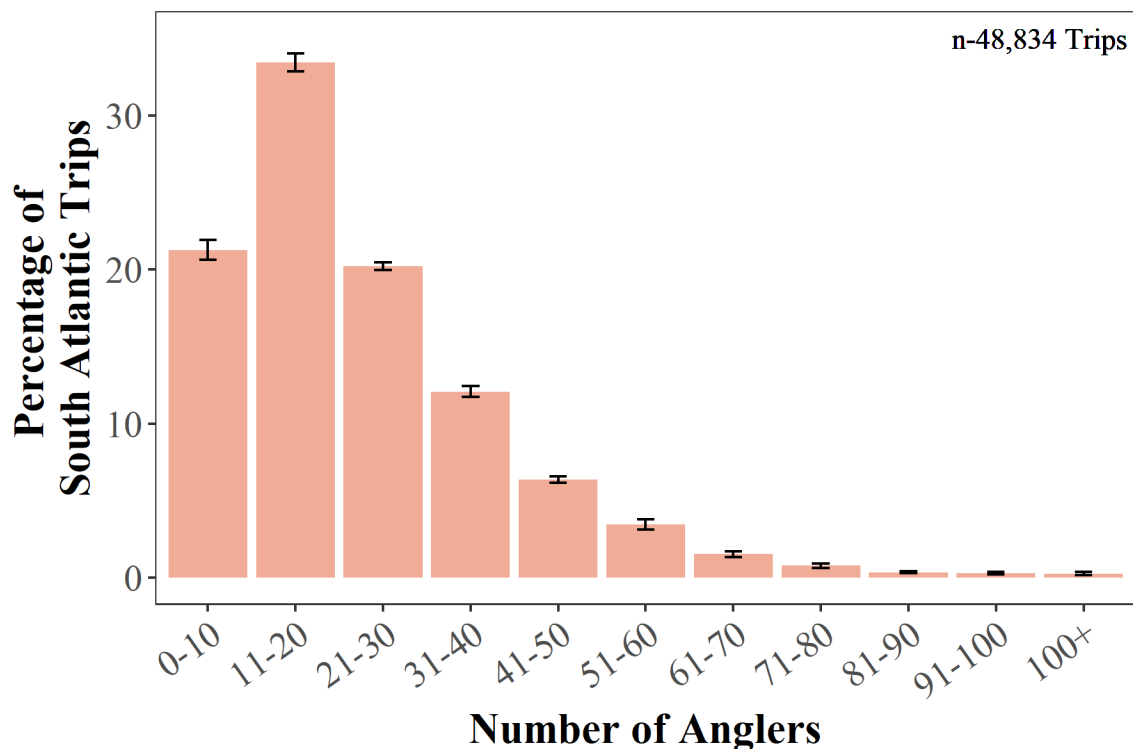


Figure 1. Proportion of Southeast Region Headboat Survey trips that carry different numbers of anglers on trips snapper grouper species were caught in the South Atlantic region from 2021 through 2025.

- The majority of SHRS trips that caught snapper grouper species carried 11-20 anglers.
- This considers all headboat trips in the SRHS that encountered snapper grouper species, not just those that caught gag and black grouper specifically, it gives a more wholistic view of the South Atlantic headboat.

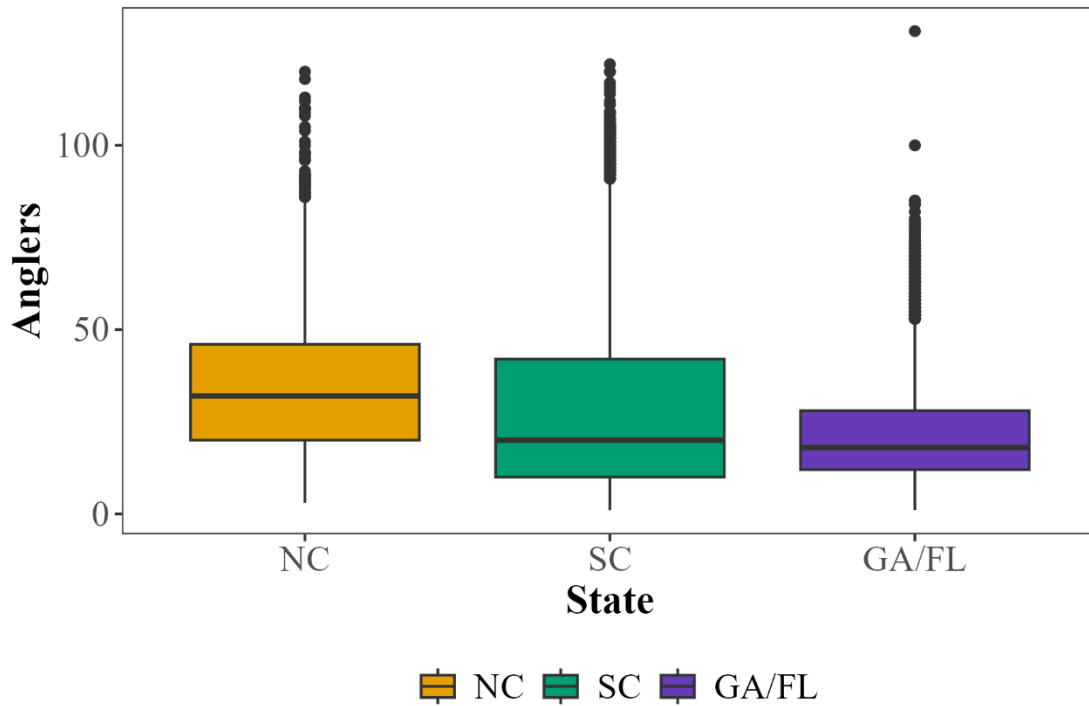


Figure 2. The number of anglers on SRHS trips catching **any** snapper grouper species, by state from 2021 through 2025.

- Trips were considered a snapper grouper trip if any species within the Snapper Grouper Fishery Management Unit (SG FMU) were harvested or discarded.
- On average, snapper grouper trips in **NC** had approximately **34 people** on board, **SC** had **28**, and **FL/GA** had **21**.

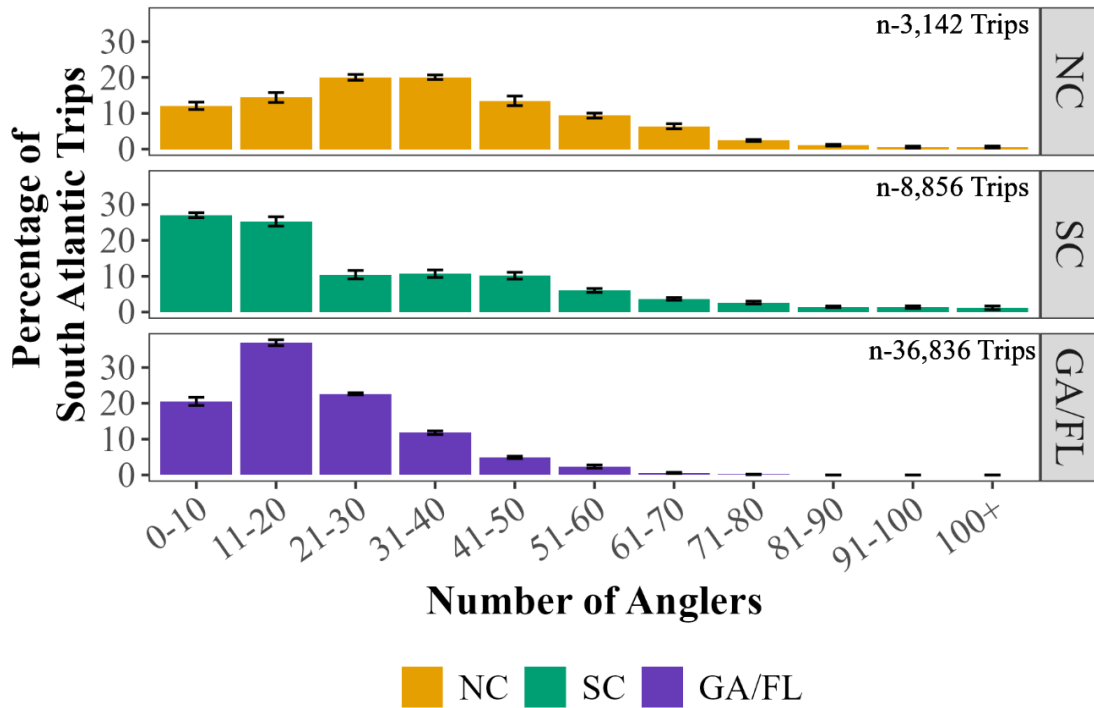


Figure 3. The proportion of the SRHS trips that carry different numbers of anglers on trips **snapper grouper species** were caught, by state, from 2021 through 2025.

- Trips were considered a snapper grouper trip if any species within the Snapper SG FMU were harvested or discarded.
- In **NC**, most snapper grouper trips occurred on vessels that carried **20-40 anglers**. NC had the highest proportion of **SG trips with 21-40 anglers per vessel**.
- In **SC**, most snapper grouper trips occurred on vessels that carried **0-20 anglers**.
- In **GA/FL**, most snapper grouper trips occurred on vessels that carried **11-20 anglers**.

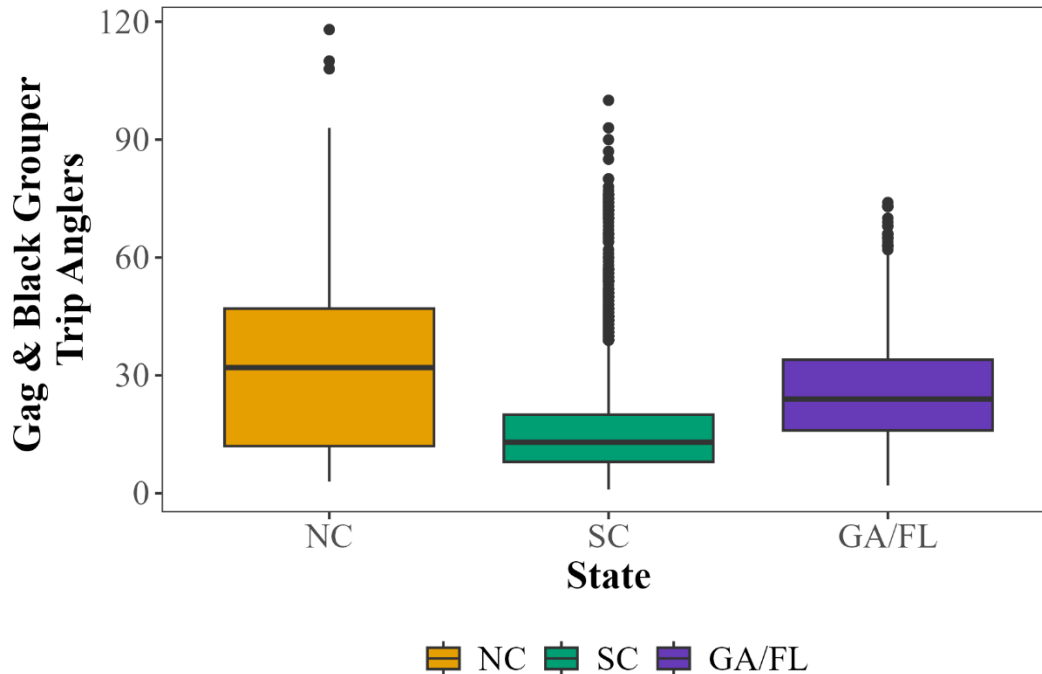


Figure 4. The number of anglers on SRHS trips catching **gag and black grouper**, by state, from 2021 through 2025.

- **On average**, trips that harvested or discarded gag or black grouper in **NC** had approximately **32 people** on board, **SC** had **17**, and **FL/GA** had **26**.
- Based on these data and the conditions of Action 1 Alternative 2, the average gag/black grouper trip in NC would be retaining 10 fish per vessel, the average SC trip would be retaining 4 fish per vessel, and the average FL/GA trip would be retaining 8 fish per vessel.
 - Remember, there are trips in each state that take more and less anglers, this is based on the **SRHS averages**.
 - This scenario **does not** consider a vessel cap (**Sub-Alternative 2a-c**).

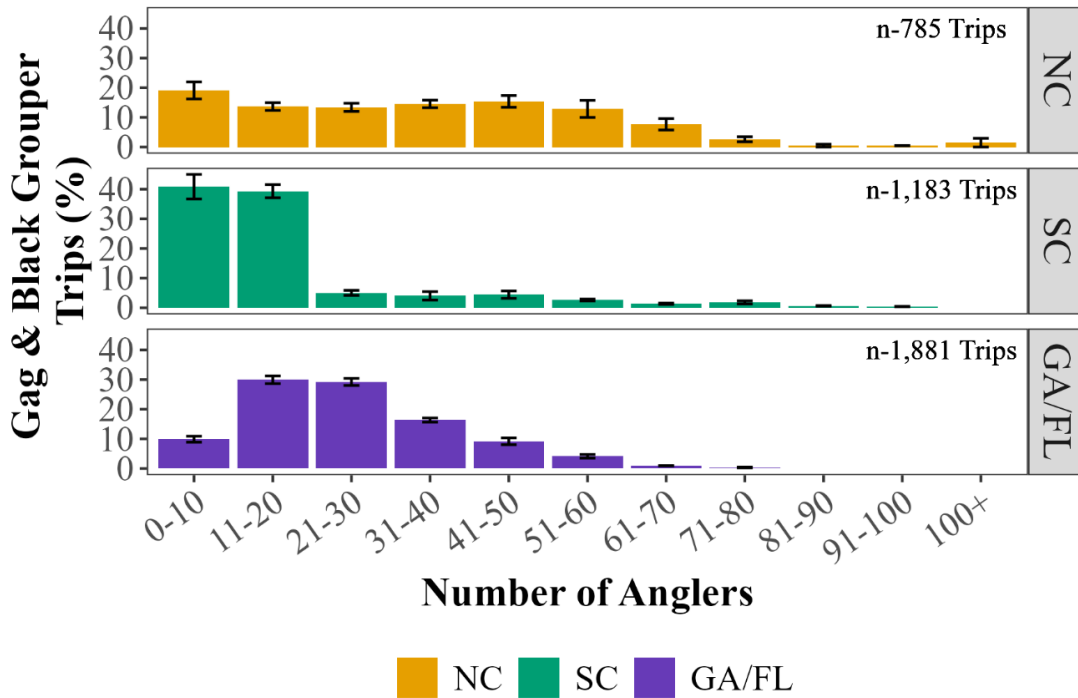


Figure 5. The proportion of SRHS trips that carry different numbers of anglers on trips **gag and black grouper** were caught, by state, from 2021 through 2025.

- NC trip percentages were spread out fairly evenly over each angler count bin from 0-60 anglers. This means that trips in NC would likely utilize the different per-6 fish vessel limits.
- SC had the highest proportion of **gag/black grouper trips with 0-20 anglers per vessel** or 3 groups of 6 anglers (Table 1, row 3), which, under the proposed action, would be allowed to **retain up to 6 fish per vessel** depending on the specific passenger count.
- GA/FL had the highest proportion of **gag/black grouper trips with 11-30 anglers per vessel**. This is spread out over the 1, 2, 3, and 4 groups of 6 anglers (Table 1, rows 1-4). The proposed action would allow those vessels to **retain up to 10 fish per vessel** depending on the specific passenger count.

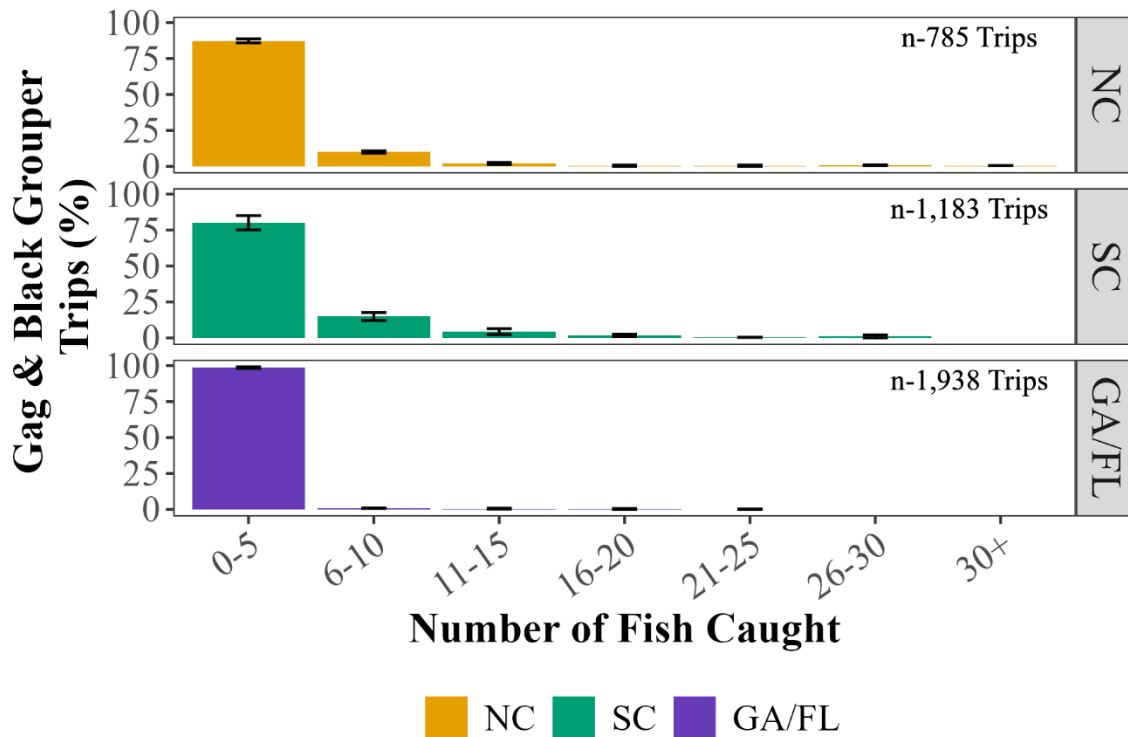


Figure 6. The proportion of Southeast Region Headboat Survey trips that caught gag and black grouper (in 5 fish bins), by state, from 2021 through 2025.

- **Figure 6** shows the proportion of trips that caught different numbers (5 fish bins) of gag and black grouper, by state.
 - Almost all the SRHS snapper grouper trips from 2021-2025 caught 0-5 gag or black grouper, however, there was a 1-fish per person bag limit and/or 2 fish vessel limit for both species during the time period examined.

Committee Action

- REVIEW/MODIFY THE RANGE OF ALTERNATIVES AND SELECT PREFERRED.