



# Gulf of Mexico & South Atlantic Fishery Management Councils

*Managing Fishery Resources in the U.S. Federal Waters of the Gulf of Mexico  
and the South Atlantic*



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May 11, 2015

Dr. Roy E. Crabtree  
Regional Administrator  
NOAA/NMFS Southeast Regional Office  
263 13th Avenue South  
St. Petersburg, Florida 33701

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Dear Dr. Crabtree:

The Gulf of Mexico Fishery Management Council and South Atlantic Fishery Management Council (Councils) request that spiny lobster be exempt from requirements for an annual catch limit (ACL) and associated accountability measures under Section 303(a)(15) of the Reauthorized Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 2007. The spiny lobster stock is unique among all federally managed species in regards to its life cycle. Specifically:

- Recruitment for spiny lobster has been stable over many years but is not linked to production or local stock size (Butler et al. 2010; FWC unpublished data);
- Spiny lobster recruits arrive over protracted periods from throughout the Caribbean (Acosta et al. 1997; Ehrhardt 2013);
- Fifty percent of spiny lobster larvae are lost to the north Atlantic, and more than 50% of the recruitment comes from external sources (Kough et al. 2013);
- Spiny lobster does not fit the standard pattern of how species behave and how population dynamics work (Lyons 1980; FAO 2006);
- Spiny lobster also have the longest larval duration of any oceanic marine animal.

The Scientific and Statistical Committees (SSCs) of each Council were mandated to recommend an acceptable biological catch (ABC) level for spiny lobster though there is no accepted stock assessment for the species. The SSCs used landings data to recommend the ABC level to the Councils. In 2011, through Amendment 10 to the Joint Fishery Management Plan for Spiny Lobster in the Gulf of Mexico and South Atlantic regions, the Councils approved a spiny lobster ACL of 7.32 million pounds whole weight with an accountability measure to convene a review panel if landings exceeded the annual catch target (ACT) of 6.59 million pounds whole weight.

In the 2013-14 fishing year, spiny lobster landings were 7,923,969 pounds whole weight, exceeding the ACT, ACL, and the Overfishing Level (OFL) (7.9 million pounds). The Councils convened a Spiny Lobster Review Panel in February 2015 to review landings and fishery conditions, identify reasons for the high landings levels, and make management recommendations to the Councils. The Review Panel recommended continued monitoring of landings but no immediate action due to the dynamic nature of the fishery. Additionally, the

Review Panel concluded that ACL management is the wrong methodology to manage this fishery and recommended that spiny lobster be considered for exemption from the ACL requirement because of its unique life history and dependence on management in other countries.

The purpose of the ACL and associated accountability measures is to minimize risk of overfishing. However, for a species such as spiny lobster, the ACL system provides only a limited view of the effects of fishing on stock status and on sustainable harvest. Thus, the spiny lobster fishery may be better managed through input controls rather than output controls such as catch limits.

The commercial sector of the spiny lobster fishery is managed with multiple measures that limit effort and harvest, including seasonal closures, gear specifications, minimum size limits, and a limit on the total number of traps. For the commercial dive and bully net components, there is a daily trip limit of 250 lobsters. Participation in the trap component of the commercial sector is limited through the trap certificate program, a cap-and-trade program to control the number of traps. Since the program's implementation in 1992, the number of lobster traps in Florida waters has decreased by 50 percent. The myriad of closed areas around the Florida Keys associated with the Florida Keys National Marine Sanctuary, Tortugas National Park, state parks, and coral protection add more constraints for both commercial and recreational effort in the spiny lobster fishery.

The ACL and accountability measures system mandated under the Reauthorized MSA has immense value in management and sustainable harvest of most fishing stocks under federal FMPs. Although spiny lobster does not meet the current requirements for exemption (international management or short life cycle), the species is unique in its life cycle and management system and should be considered for an exemption.

We appreciate your assistance in expediting implementation of this request. If you require any additional information, please do not hesitate to contact Doug Gregory or Bob Mahood.

Sincerely,



Kevin Anson, Chair, Gulf of Mexico Fishery Management Council



Ben Hartig, Chair, South Atlantic Fishery Management Council

cc: GMFMC Members & Staff  
SAFMC Members & Staff  
Bonnie Ponwith  
Shep Grimes  
Mara Levy  
Monica Smit-Brunello

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