

Discussion Document

# Action to restrict recreational traps for spiny lobster in the South Atlantic EEZ

South Atlantic Spiny Lobster Committee  
December 2016



**November 14, 2016**

## **Background**

In June 2016, the South Atlantic Spiny Lobster Committee was notified that NMFS had issued specifications for gear marking for recreational harvest of spiny lobster with traps in the EEZ off North Carolina (available in [the June 2016 Briefing Book](#)). An individual in North Carolina was interested in using traps to recreationally harvest spiny lobster and had requested information on regulations, but the current federal regulations only applied to spiny lobster traps in Florida waters. In response, NMFS determined that trap was an authorized recreational gear for spiny lobster in North Carolina and that all traps must comply with specified vessel and gear identification, trap construction, and harvest limits for spiny lobster (2 per person per trip year-round for North Carolina, South Carolina and Georgia for recreational and commercial harvest). NMFS also assigned a color code of yellow and blue for the vessel and buoys.

The Spiny Lobster Committee discussed traps outside of Florida for commercial or recreational harvest. Recreational traps are not permitted in Florida state waters or the EEZ off Florida. In general, there has been little interest in harvesting spiny lobster outside of Florida waters with traps. Individuals that want to use traps for recreational spiny lobster harvest outside of Florida must comply with federal regulations for gear and vessel identification, traps construction, and harvest limits in [50 CFR Part 622](#) (the same regulations apply to commercial harvest with traps in Florida waters). Some members of the Committee expressed concern with potential growth in the future, protected resources issues, and recommended exploring options for gear requirements and other restrictions, or a prohibition on recreational traps in the South Atlantic EEZ. The Committee directed staff to present options for an action to prohibit or restrict traps for recreational harvest of spiny lobster in the South Atlantic EEZ.

With direction from the Spiny Lobster Committee, the potential action(s) and alternatives below will be included in Spiny Lobster Regulatory Amendment 4, along with other actions to revise the annual catch limit and set up a measure to monitor for low landings. Direction from the South Atlantic Council on the action to restrict recreational traps in the South Atlantic EEZ will be incorporated into the first options paper/draft of Regulatory Amendment 4 to be reviewed by the Gulf Council in January 2017. The South Atlantic Council will review a draft of the amendment in March 2017.

### Summary of regulations that apply to recreational traps for spiny lobster harvest

#### Vessel and gear identification:

- federal vessel permit number displayed and identifiable from air and water
- vessel's color code must be displayed above the vessel's federal permit number
- a buoy must be attached to each trap or string of traps, with the vessel's color code and permit number
- abandoned traps or buoys are the owner's responsibility

#### Prohibited gears/methods:

- spear, hook or similar device
- use of net or trawl in a directed fishery
- poisons or explosives

#### Trap construction and tending:

- No larger than 3ft x 2ft x 2ft or volume equivalent
- If trap is not wood, it must have a panel made of wood or other material that degrades at the same rate and must allow an opening no smaller than the entrance of the trap when it is removed
- Traps pulled or tended in daylight hours only by the trap owner (exception with permission of or RA)

Harvest regulations:

- Minimum size limit 3” carapace length
- Florida recreational limit is 6/person/day; recreational traps are prohibited
- Commercial and recreational limit in other South Atlantic states is 2/person/day
- Florida season is August 6 – March 31; other states harvest is year-round
- Harvest of berried lobsters prohibited
- Lobsters must be landed intact unless a vessel has a federal commercial tailing permit
- Bag limit sales prohibited

**Expected Timing\***

Dec 2016: South Atlantic Council provides direction to staff on action(s)/alternatives

Jan/Feb 2017: Gulf Council reviews Regulatory Amendment 4\*\* options paper, with the draft action(s)/alternatives for this action based on the South Atlantic’s direction

March 2017: South Atlantic Council reviews draft Regulatory Amendment 4

April 2017: South Atlantic Spiny Lobster AP meeting? Hearings or public comment opportunities?

June 2017: Both Councils review public and AP input, make changes, select preferred alternatives, and approve for formal review

\*Timing may depend on agreement of the SSCs on the recommendations for OFL and ABC. Other factors may also change the timing of this amendment.

\*\* The title of the amendment may change to Framework Amendment 1, per guidance from SERO and NOAA GC.

## **POTENTIAL ACTION: Restrict the use of traps for recreational harvest of spiny lobster in the South Atlantic EEZ**

### Options for alternatives

- **Alternative 1 (No Action):** Traps are not included as prohibited gear for spiny lobster harvest. In Florida, harvest with trap is restricted to commercial harvest only with appropriate state fishing license and endorsement, and trap certificates for each trap. Traps must comply with requirements for vessel and gear identification, trap construction, and harvest limits as specified by [50 CFR Part 622](#).

### **Alternatives by state:**

Establish a limit on the number of traps allowed for recreational harvest of spiny lobster in the EEZ off North Carolina.

- No traps allowed
- Limit of 2, 4, 6 traps?

Establish a limit on the number of traps allowed for recreational harvest of spiny lobster in the EEZ off South Carolina.

- No traps allowed
- Limit of 2, 4, 6 traps?

Establish a limit on the number of traps allowed for recreational harvest of spiny lobster in the EEZ off Georgia.

- No traps allowed
- Limit of 2, 4, 6 traps?

### **COMMITTEE ACTIONS:**

- 1) Do you recommend this action be added to the amendment?
- 2) Do you want to include the alternatives by state or other alternatives?
  - Revise, remove or add alternatives/options
- 3) Other restrictions to consider?
- 4) Provide guidance on timing for a South Atlantic Spiny Lobster AP meeting.