JOINT SA/GM SPINY LOBSTER COMMITTEE & ADVISORY PANEL MEETING
June 7, 2010
ORLANDO, FL
MOTIONS/RECOMMENDATIONS

2 Management Alternatives

2.1 Action 1: Delegate management of the Spiny Lobster FMP to Florida FWC

Alternative 1: No Action – Continue the current state and federal management system

Alternative 2: Delegate all management to Florida FWC, except establishment of an annual catch limit (ACL)

Alternative 3: Delegate certain management criteria to Florida FWC, except establishment of an ACL

Management criteria to delegate include:

Options a: Numerical specification of ACL and breakdown into sector-specific ACLs based on the definitions later in document

Options b: Commercial quotas and recreational allocations based on the allocations specified later in this document

Options c: Size limits

Options d: Recreational bag limits

Options e: Commercial trip limits

Options f: Permit endorsements

Options g: Fishing seasons

Options h: Application of the accountability measures, including closing the fishery when a sector reaches its quota and/or allocation

Options i: Rules and regulations for traps, including gear marking, tagging, etc.

Options j: Data collection and reporting requirements

Options k: Closed areas

SAFMC AP: RECOMMEND ALTERNATIVE 1 UNDER ACTION 1

APPROVED WITHOUT OBJECTION

GULF AP: RECOMMEND ALTERNATIVE 1 (NO ACTION) UNDER ACTION 1

APPROVED WITHOUT OBJECTION

SAFMC COMMITTEE: MOVE ACTION 1 TO THE CONSIDERED BUT REJECTED APPENDIX.

APPROVED WITHOUT OBJECTION

APPROVED BY SA COUNCIL

GMFMC COMMITTEE: MOVE ACTION 1 TO THE CONSIDERED BUT REJECTED APPENDIX.

APPROVED BY COMMITTEE

2.2 Action 2: Other species in the Spiny Lobster FMP

***Note:** More than one alternative may be chosen as a preferred.

Alternative 1: No Action – Leave species other than Caribbean spiny lobster in the Spiny Lobster FMP, but do not establish ACLs and AMs

Alternative 2: Set ACLs and AMs for each species using historical landings

Option a: smoothtail spiny lobster**,** *Panulirus laevicauda*

Option b: spotted spiny lobster, *Panulirus guttatus*

Option c: Spanish slipper lobster, *Scyllarides aequinoctialis*

Option d: ridged slipper lobster, *Scyllarides nodifer*

Alternative 3: List species as ecosystem component species

Option a: smoothtail spiny lobster**,** *Panulirus laevicauda*

Option b: spotted spiny lobster, *Panulirus guttatus*

Option c: Spanish slipper lobster, *Scyllarides aequinoctialis*

Option d: ridged slipper lobster, *Scyllarides nodifer*

Alternative 4: Remove species from the Joint Spiny Lobster FMP

Option a: smoothtail spiny lobster**,** *Panulirus laevicauda*

Option b: spotted spiny lobster, *Panulirus guttatus*

Option c: Spanish slipper lobster, *Scyllarides aequinoctialis*

Option d: ridged slipper lobster, *Scyllarides nodifer*

GULF AP: MOVE ALTERNATIVE 3

APPROVED BY GM AP

SA AP: PREFERRED ALTERNATIVE UNDER ACTION 2 IS ALTERNATIVE 3 WITH ALL SPECIES

APPROVED BY SA AP

SA COMMITTEE: SELECT ALTERNATIVE 3 AS PREFERRED ALTERNATIVE

APPROVE BY SA COMMITTEE

APPROVED BY SA COUNCIL

SA COMMITTEE: MOVE ALTERNATIVE 4 TO CONSIDERED BUT REJECTED APPENDIX

MOTION WITHDRAWN

GULF COMMITTEE: MOVE OPTION A AND OPTION B UNDER ALTERNATIVE 2 TO CONSIDERED BUT REJECTED APPENDIX

APPROVED BY COMMITTEE

GULF COMMITTEE: MOVE THAT OUR PREFERRED BE ALTERNATIVE 3, OPTIONS A AND B.

APPROVED BY GULF COMMITTEE

2.3 Action 3: Modify the current definitions of Maximum Sustainable Yield, Optimum Yield, Overfishing Threshold, and Overfished Threshold for Caribbean spiny lobster

2.3.1 Maximum Sustainable Yield (MSY)

Alternative 1: No Action- Use the current definitions of MSY as a proxy. The Gulf of Mexico definition**:** MSY is defined as a harvest strategy that results in at least a 20% transitional SPR (spawning stock biomass per recruit). The South Atlantic definition: MSY is defined as a harvest strategy that results in at least a 20% static SPR (spawning potential ratio).

Alternative 2: Modify the Gulf of Mexico definition to mirror the South Atlantic definition of MSY proxy, defined as 20% static SPR.

Alternative 3: MSY equals the yield produced by fishing mortality at maximum sustainable yield (F_{MSY}) or proxy for F_{MSY}. MSY will be defined by the most recent SEDAR and joint Scientific and Statistical Committee process.

GULF AP: WE ADDRESS RECOMMENDATIONS FOR MSY, OY, OVERFISHING AND OVERFISHED UNTIL WE HAVE THE SEDAR RESULTS AND REPORT

APPROVED BY GULF AP

SA AP: WE ADDRESS RECOMMENDATIONS FOR MSY, OY, OVERFISHING AND OVERFISHED UNTIL WE HAVE THE SEDAR RESULTS AND REPORT

APPROVED BY SA AP

2.3.2 Optimum Yield (OY)

Alternative 1: No Action- Use the current definitions of OY. The Gulf of Mexico definition**:** OY is defined as a harvest strategy that results in at least achieving a 30% transitional SPR (SSBR). The South Atlantic definition: OY is the amount of harvest that can be taken by U.S. fishermen while maintaining the SPR at or above 30% static SPR.

Alternative 2: Modify the Gulf of Mexico definition to mirror the South Atlantic definition of OY: the amount of harvest that can be taken by U.S. fishermen while maintaining the SPR at or above 30% static SPR.

Alternative 3: OY equals the yield produced by F_{OY}. If a stock is overfished, F_{OY} equals the fishing mortality rate specified by the rebuilding plan designed to rebuild the stock to SSB_{MSY} within the approved schedule. After the stock is rebuilt, F_{OY} equals the yield produced by a fraction of F_{MSY} (e.g., 65%, 75% or 85% of F_{MSY}; Joint Councils to specify).

2.3.3 Overfishing Threshold

Alternative 1: No Action - Use the current definitions of overfishing threshold. The Gulf of Mexico definition: overfishing exists when the fishing morality rate (F) results in the transitional SPR being reduced below 20%. The South Atlantic definition: overfishing level as a fishing mortality rate (F) in excess of the fishing mortality rate at 20% static SPR (F20% static SPR).

Alternative 2: Modify the Gulf of Mexico definition to mirror the South Atlantic definition of overfishing threshold: (from transitional to static SPR).

Alternative 3: Specify the Maximum Fishing Mortality Threshold (MFMT) as F_{MSY} or F_{MSY} proxy. The most recent SEDAR and joint Scientific and Statistical Committees will define F_{MSY} or F_{MSY} proxy. This should equal the Overfishing Limit (OFL) provided by the Scientific and Statistical Committees. The Councils will compare the most recent value for the current fishing mortality rate (F) from the SEDAR/SSC process to the level of fishing mortality that would result in overfishing (maximum fishing mortality threshold or MFMT) and if the current F is greater than the MFMT, overfishing is occurring. Comparing these two numbers:

- $F_{CURRENT}$/MFMT = X.XXX

*This comparison is referred to as the **overfishing ratio**. If the ratio is greater than 1, then overfishing is occurring.

2.3.4 Overfished Threshold

Alternative 1: No Action - Use the current definition of overfished threshold. The Gulf of Mexico is the only Council with a current definition: the proxy for MSST is a level of 15% transitional SPR (SSBR). The South Atlantic Council decided to use the framework procedure to add a biomass based component to the overfished definition, due to no biomass levels and/or proxies being available.

Alternative 2: Adopt the Gulf Council overfished threshold definition for the South Atlantic. The Gulf of Mexico definition: proxy for MSST of 15% transitional SPR, with the additional modification to static SPR.

Alternative 3: Specify the MSST as XXX million pounds. The MSST is defined by the most recent SEDAR and joint Scientific and Statistical Committees process. The Councils will compare the current spawning stock biomass (SSB) from the SEDAR and Scientific and Statistical Committees process to the level of spawning stock biomass that could be rebuilt to the level to produce the MSY in 10 years. Comparing these two numbers:

- $SSB_{CURRENT}$/MSST = Y.YYY

This comparison is referred to as the **overfished ratio**. If the ratio is less than 1, then the stock is overfished.

SA COMMITTEE: MOVE ALTERNATIVE 2 TO THE CONSIDERED BUT REJECTED APPENDIX.

APPROVED BY SA COMMITTEE

APPROVED BY SA COUNCIL

2.4 Action 4: Establish sector allocations for Caribbean spiny lobster in State and Federal waters from North Carolina through Texas

Alternative 1: No action – Do not establish sector allocations

Alternative 2: Allocate the spiny lobster ACL 75% to the commercial trap fishery, 4% to the commercial dive fishery, 1% to the commercial bully net fishery, and 20% to the recreational fishery.

Alternative 3: Allocate the spiny lobster ACL 70% to the commercial trap fishery, 6% to the commercial dive fishery, 1% to the commercial bully net fishery, and 23% to the recreational fishery.

Alternative 4: Allocate the spiny lobster ACL 70% to the commercial trap fishery, 3% to the commercial dive fishery, 1% to the commercial bully net fishery, and 26% to the recreational fishery.

Alternative 5: Allocate the spiny lobster ACL 72% to the commercial trap fishery, 5% to the commercial dive fishery, 1% to the commercial bully net fishery, and 22% to the recreational fishery.

Alternative 6: Allocate the spiny lobster ACL 72% to the commercial trap fishery, 4% to the commercial dive fishery, 1% to the commercial bully net fishery, and 23% to the recreational fishery.

GULF AP: ADD ALTERNATIVE 7: ALLOCATE THE SPINY LOBSTER ACL 72% TO THE COMMERCIAL TRAP FISHERY, 3% TO THE COMMERCIAL DIVE FISHERY, 1% TO THE

COMMERCIAL BULLY NET FISHERY AND 24% TO THE RECREATIONAL FISHERY.

APPROVED BY GULF AP WITH 1 OPPOSED

(INTENT IS THAT THIS IS THE GULF AP'S PREFERRED)

SA AP: ADOPT ALTERNATIVE 1 (NO ACTION)

APPROVED BY SA AP WITH 2 IN OPPOSITION

SA COMMITTEE: ADD ALTERNATIVE 7: DO NOT SUBDIVIDE THE COMMERCIAL ALLOCATION

APPROVED BY SA COMMITTEE

APPROVED BY SA COUNCIL

2.5 Action 5: Allowable Biological Catch (ABC) Control Rule, ABC Level(s), Annual Catch Limits and Annual Catch Targets for Caribbean Spiny Lobster

2.5.1 Allowable Biological Catch (ABC) Control Rule

ABC is recommended by the Scientific and Statistical Committee (SSC) and specified by the Council. The South Atlantic SSC provided an ABC Control Rule at their April 2010 meeting. The Gulf of Mexico SSC is also developing an ABC Control Rule. These two rules will need to be consolidated and/or modified such that both SSCs agree on one ABC Control Rule for spiny lobster.

Alternative 1. No Action. Do not establish an ABC Control Rule for spiny lobster.

Alternative 2. Establish ABC based on the South Atlantic Council's SSC Data Poor ABC control rule.

Alternative 3. Establish an ABC Control Rule where ABC equals OFL.

Alternative 4. Establish an ABC Control Rule where ABC equals a percentage of OFL.

Option a. ABC=65%OFL
Option b. ABC=75%OFL
Option c. ABC=85%OFL

Alternative 5. Establish an ABC Control Rule where ABC equals a percentage of the yield at MFMT.

Option a. ABC=yield at 65%MFMT
Option b. ABC=yield at 75%MFMT
Option c. ABC=yield at 85%MFMT

Alternative 6. Establish an ABC Control Rule where ABC is a percentage of OFL. The percentage is based upon the level of risk of overfishing (P*).

Option a. ABC=X% of OFL. The X% is based upon P* equals .20.
Option b. ABC=X% of OFL. The X% is based upon P* equals .30.
Option c. ABC=X% of OFL. The X% is based upon P* equals .40.
Option d. ABC=X% of OFL. The X% is based upon P* equals .50.

GULF AP: ESTABLISH ABC CONTROL RULE WHERE ABC=OFL; OFL BE SET AT THE HIGHEST OBSERVED CATCH OVER THE LAST 10 YEAR PERIOD (1999-2009 FISHING YEAR). APPROVED BY GULF AP

SA AP: ESTABLISH ABC CONTROL RULE WHERE ABC=OFL; OFL BE SET AT THE HIGHEST OBSERVED CATCH OVER THE LAST 10 YEAR PERIOD (1999-2009 FISHING YEAR). APPROVED WITH 1 OPPOSED

SA COMMITTEE: DIRECTED STAFF TO LOOK AT COMBINING ALTERNATIVES 4 & 5; CONSIDER DATA POOR CONTROL RULE AFTER IT IS PRESENTED

GULF COMMITTEE: MAY GET ANOTHER CONTROL RULE ALTERNATIVE FROM THE GULF SSC.

2.5.2 Set Annual Catch Limits (ACLs) ~~and~~ for Caribbean Spiny Lobster

Alternative 1: No Action – Do not set ACLs

Alternative 2: Set an ACL for the entire stock based on the acceptable biological catch (ABC)

Option a: ACL = ABC

Option b: ACL = x% of ABC

Alternative 3: Set separate state and federal ACLs based on landings

Option a: sum of ACLs = ABC

Option b: sum of ACLs = x% of ABC

Alternative 4: Set ACLs for each sector and gear type (i.e., recreational, commercial diving, bully netting, and commercial trapping) based on allocations determined in Action 4

Option a: each ACL = (sector allocation x ABC)

Option b: each ACL = x% of (sector allocation x ABC)

Option c: each ACL = sector allocation x (x% of ABC)

GULF AP: RECOMMEND ALTERNATIVE 4, OPTION A AS OUR PREFERRED (76% COM; 24% REC)

APPROVED BY GULF AP

SA COMMITTEE: SET SEPARATE ACLS FOR THE COMMERCIAL AND RECREATIONAL SECTORS

MOTION WITHDRAWN

GULF COMMITTEE: ALTERNATIVE 2, OPTION A BE OUR PREFERRED

APPROVED BY GULF COMMITTEE

2.5.3 Set Annual Catch Targets (ACTs) for Caribbean Spiny Lobster

Alternative 1: No Action – Do not set ACTs

Alternative 2: Set an ACT for the entire stock (If Action 5, Alternative 2 chosen)

Alternative 3: Set separate state and federal ACTs (If Action 5, Alternative 2 or 3 chosen)

Alternative 4: Set ACTs for each sector and gear type (i.e., recreational, commercial diving, bully netting, and commercial trapping) based on allocations from Action 4 (If Action 5, Alternative 2 or 4 chosen)

GULF AP: ALTERNATIVE 1 BE OUR PREFERRED

APPROVED BY GULF AP

SA AP: ALTERNATIVE 1 BE OUR PREFERRED

APPROVED BY SA AP

GULF COMMITTEE: ALTERNATIVE 1 BE OUR PREFERRED

APPROVED BY GULF COMMITTEE

SA COMMITTEE: ALTERNATIVE 4 BE OUR PREFERRED

DISAPPROVED BY SA COMMITTEE

2.6 Action 6: Accountability Measures (AMs) by Sector

Note: More than one alternative, option, or sub-option may be chosen as a preferred.

Alternative 1: No Action – Do not set AMs.

Alternative 2: Establish in-season AMs

Option a: Commercial

Sub-option i: quota closure

Sub-option ii: implement a commercial trip limit when 75% of the commercial ACL or ACT is projected to be met.

Option b: Recreational

Sub-option i: quota closure

Sub-option ii: reduce the bag limit when 75% of the recreational ACL or ACT is projected to be met.

Option c: Recreational and commercial combined AM

Sub-option i: prohibit both recreational and commercial harvest when the commercial ACL or ACT, or combined ACL or ACT is projected to be met.

Sub-option ii: reduce the recreational bag limit when 75% of the commercial ACL or ACT is projected to be met.

Alternative 3: Establish post-season AMs

Option a: Commercial

Sub-option i: ACL payback in the fishing season following a previous years ACL overage

Sub-option ii: Adjust the length of the fishing season following an ACL overage

Sub-option iii: Implement a trip limit

Option b: Recreational

Sub-option i: ACL payback in the fishing season following a previous years ACL overage

Sub-option ii: Adjust the length of the fishing season following an ACL overage

Sub-option iii: Adjust bag limit for the fishing season following a previous seasons ACL overage

Option c: Recreational and commercial combined AM

Sub-option i: Adjust season length for all harvest of spiny lobster in the fishing season following an ACL overage

Sub-option ii: Recreational and commercial ACL payback in the fishing season following a previous years ACL overage (if a combined ACL is chosen).

GULF AP: CHOOSE ALTERNATIVE 1 AS PREFERRED

APPROVED BY GULF AP

SA AP: CHOOSE ALTERNATIVE 1 AS PREFERRED

APPROVED BY SA AP

2.7 Action 7: Develop or Update a Framework Procedure and Protocol for Enhanced Cooperative Management for Spiny Lobster

Alternative 1: No Action – Do not update the Protocol for Enhanced Cooperative Management or the Regulatory Amendment Procedure

Alternative 2: Update the current Protocol for Enhanced Cooperative Management

Alternative 3: Update the current Regulatory Amendment Procedures to develop a Framework Procedure to modify ACLs and AMs

Alternative 4: Revise the current Regulatory Amendment Procedures to create an expanded Framework Procedure

Option 1: Adopt the base Framework Procedure
Option 2: Adopt the more broad Framework Procedure
Option 3: Adopt the more narrow Framework Procedure

2.8 Action 8: Modify Regulations Regarding Possession and Handling of Short Caribbean Spiny Lobsters as "Undersized Attractants"

Alternative 1: No Action – Allow the possession of no more than 50 undersized Caribbean spiny lobsters, or one per trap aboard the vessel, whichever is greater, for use as attractants

Alternative 2: Prohibit the possession and use of undersized Caribbean spiny lobsters as attractants

Alternative 3: Allow undersized Caribbean spiny lobsters, but modify the number of allowable undersized lobsters, regardless of the number of traps fished

Option a: allow 50 undersized lobsters
Option b: allow 35 undersized lobsters

GULF AP: ADD A NEW ALTERNATIVE 4: UNDERSIZED SPINY LOBSTER NOT EXCEEDING 50 PER BOAT AND 1 PER TRAP ABOARD EACH BOAT IF USED EXCLUSIVELY FOR LURING, DECOYING, OR OTHERWISE ATTRACTING NON-CAPTIVE SPINY LOBSTERS

INTO THE TRAP
APPROVED WITH ONE NO

SA AP: ALTERNATIVE 2 BE OUR PREFERRED

APPROVED BY SA AP

2.9 Action 9: Modify Tailing Requirements for Caribbean Spiny Lobster for Vessels that Obtain a Tailing Permit

*Note: more than one alternative may be chosen as a preferred alternative.

Alternative 1: No Action – Possession of a separated Caribbean spiny lobster tail in or from the EEZ is allowed only when the possession is incidental to fishing exclusively in the EEZ on a trip of 48 hours or more, and a federal tailing permit is issued to and on board the vessel.

Alternative 2: Eliminate the Tail-Separation Permit for all vessels fishing for Caribbean spiny lobster in Gulf and South Atlantic waters of the EEZ.

Alternative 3: Revise the current regulations to clearly state that all vessels must have either a federal spiny lobster permit or a Florida Restricted Species Endorsements associated with a Florida Saltwater Products License in order to obtain a tailing permit.

Alternative 4: Modify the requirements for obtaining a Tail-Separation Permit.

Alternative 5: All Caribbean spiny lobster landed must either be landed all "whole" or all "tailed".

SA AP: ALTERNATIVE 2 BE OUR PREFERRED

APPROVED BY SA AP WITH 2 OPPOSED

GULF AP: FED SP LOB PERMIT OR FL RESTRICTED SPECIES ENDORSEMENT AND ALL CARIBBEAN SPINY LBOSTER LANDED MUST EITHER BE LANDED ALL WHOLE OR ALL TAILED.

APPROVED BY GULF AP

2.10 Action 10: Limit Spiny Lobster Fishing in Certain Areas in the EEZ off Florida to Address Endangered Species Act Concerns for Staghorn and Elkhorn Corals

Alternative 1: No Action – Do not limit spiny lobster fishing in certain areas in the EEZ off Florida to address ESA concerns for *Acropora*.

Alternative 2: Prohibit spiny lobster trapping on known hardbottom in the EEZ off Florida (in areas under the SAFMC's jurisdiction with water depths less than 30 meters).

Alternative 3: Expand existing and/or create new closed areas to prohibit spiny lobster trapping in the EEZ off Florida in locations with high densities of *Acropora* and/or locations of with high likelihood for coral recruitment.

Option a: No buffer zone between the boundary of the closed area and closest *Acropora* colony.

Option b: A minimum buffer zone of at least 15 ft but less than 100 ft between the boundary of the closed area and closest *Acropora* colony.

Option c: A minimum buffer zone of at least 100 ft between the boundary of the closed area and closest *Acropora* colony.

Alternative 4: Expand existing and/or create new closed areas to prohibit all spiny lobster fishing in the EEZ off Florida in locations with high densities of *Acropora* and/or locations of with high likelihood for coral recruitment.

Option a: No buffer zone between the boundary of the closed area and closest *Acropora* colony.

Option b: A minimum buffer zone of at least 15 ft but less than 100 ft between the boundary of the closed area and closest *Acropora* colony.

Option c: A minimum buffer zone of at least 100 ft between the boundary of the closed area and closest *Acropora* colony.

2.11 Action 11: Require Measures to Identify Ropes Associated with Spiny Lobster Traps in the EEZ off Florida be Implemented

Alternative 1: No Action – Do not require measures to identify spiny lobster buoy line.

Alternative 2: Require all spiny lobster buoy line in the EEZ off Florida to be a specific color, not currently in use in other fisheries, along its entire length.

Alternative 3: Require all spiny lobster buoy line in the EEZ off Florida to have easily identifiable patterns/markings, not currently in use in other fisheries, along its entire length.

Alternative 4: Require all spiny lobster buoy line in the EEZ off Florida to be a specific color and have easily identifiable patterns/markings, not currently in use in other fisheries, along its entire length.

2.12 Action 12: Allowing the Public to Remove Trap Line, Buoys, or Otherwise make Unfishable, any Spiny Lobster Gear Found in the EEZ off Florida

Alternative 1: No Action – Do not allow public to remove any spiny lobster trap found in the EEZ off Florida

Alternative 2: Allow the public to remove any spiny lobster trap found in the EEZ off Florida following the end of season trap removal period (usually April 5) until the beginning of the next season's trap deployment period (August 1).

Alternative 3: Allow the public to remove any spiny lobster trap found in the EEZ off Florida during the closed season of both the spiny lobster and stone crab fishing seasons (May 20-July 31).

Alternative 4: Allow the public to make any spiny lobster trap unfishable by removing trap line, buoys, and throats if found in the EEZ off Florida from following the end of season trap removal period (usually April 5) until the beginning of the next season's trap deployment period (August 1).

Alternative 5: Allow the public to make any spiny lobster trap unfishable by removing trap line, buoys, and throats if found in the EEZ off Florida during the closed season of both the spiny lobster and stone crab fishing seasons (May 20-July 31).