PUBLIC SUBMISSION

As of: February 27, 2012
Received: February 23, 2012
Status: Posted
Posted: February 27, 2012
Tracking No. 80fbedfe
Comments Due: March 19, 2012
Submission Type: Web

Docket: NOAA-NMFS-2011-0223
Amendment 11 to the Fishery Management Plan for Spiny Lobster in the Gulf of Mexico and South Atlantic

Comment On: NOAA-NMFS-2011-0223-0004
EPA Notice of Availability

Document: NOAA-NMFS-2011-0223-0008
Comment from Douglas Gregory

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General Comment

Spiny Lobster Amendment 11 was never reviewed by the Gulf Council's SSC and thus this Amendment has not been properly prepared relative to the requirements of the Magnuson Act.

The Magnuson Act requires SSC review of plan amendments as per:
From I-3(b) MSRA Requirements:
"(B) Each scientific and statistical committee shall provide its Council ongoing scientific advice for fishery management decisions, including recommendations for acceptable biological catch, preventing overfishing, maximum sustainable yield, and achieving rebuilding targets, and reports on stock status and health, bycatch, habitat status, social and economic impacts of management measures, and sustainability of fishing practices."

And the Gulf Council SOPPS indicate the same:

Gulf Council SOPPS Language (Also repeated in SSC Duties and Responsibilities):
"B. Scientific and Statistical Committees (SSCs):
The Council has established a Standing SSC . . . to provide expert scientific and technical advice to the Council. The SSC shall review and comment on the scientific adequacy of such statistical, biological, economic, social, and other scientific information as is relevant to the Council's development and amendment of any fishery management plan. The SSC shall provide the Council ongoing scientific advice for fishery management decisions, including recommendations for preventing overfishing and achieving rebuilding targets, and reviews of reports on stock status and health, by-catch, habitat status, social and economic impacts of management measures, and sustainability of fishing practices. . ."

Amendment 11 contains biological and economic analyses provided by industry as well as staff and NMFS scientists than have not been peer reviewed by the Gulf Council SSC. This was pointed out to the Gulf Council during their public hearing in Key West but at the subsequent Gulf Council meeting

no action was taken to address this oversight.

Thank you for your consideration.