

**Gulf of Mexico Fishery Management Council
Spiny Lobster-Stone Crab Committee Report
Crowne Plaza
Grand Ballroom
Pensacola, Florida
August 19, 2010**

Members:

Teehan, Chair
Simpson/Donaldson
Gill, V. Chair
W. Walker/Perret
Sapp

The agenda was adopted as written and the minutes of the February 1, 2010 meeting were approved with no modifications. Carrie Simmons gave an overview of the Joint Spiny Lobster Amendment 10 Draft Options Paper Document (**Tab I, No. 3a**). The document was updated with modifications from the joint meeting of the Council Committees and Council Advisory Panels held June 7, 2010. The purpose of convening the committee was to continue to develop and flesh out the actions and alternatives. The progress from the joint meeting and the actions taken by each Council to date was provided in report (**Tab I, No. 3b**)

Action 1: Other species in the Spiny Lobster FMP. At the joint meeting the South Atlantic Committee selected a different preferred alternative than the Gulf Committee. This is a joint amendment so the committee questioned the process for proceeding if different preferred alternatives were selected. To address this issue the committee recommends and I so move: **to allow the appropriate staff people as well as legal counsel and Committee chairs of the respective Councils to meet and resolve differences in the Draft Joint Spiny Lobster Amendment 10.**

In addition, staff brought up concerns about the other two species of slipper lobster, ridged and Spanish lobster meeting the criteria for ecosystem component species because if caught they are generally retained for sale or personal use. Mr. David Cupka, the liaison from the South Atlantic Council felt that the differences in preferred alternatives was an issue that could be resolved after further discussion of the alternatives.

Action 2: Modify the current definitions of maximum sustainable yield, optimum yield, overfishing threshold, and overfished threshold for Caribbean spiny lobster. Staff will continue to develop this action as the stock assessment proceeds.

Action 3: Establish sector allocations for Caribbean spiny lobster in state and federal waters from North Carolina through Texas. Due to alternative 6 being very close to alternative 5, but not as highly favored by the Florida FWC's stakeholders the committee recommends and I so move: **in Action 3, move Alternative 6 to the considered but rejected section.**

The committee was also concerned about allocating by sector or gear percentages less than 3-4%. There is not currently a quota, so dividing the spiny lobster fishery into such small allocations would be very difficult to track. After discussion the committee recommends and I so move: **to delete Option a. for Alternatives 2 through 5 in Action 3.**

The committee recommends and I so move: **Action 3, Alternative 3 be moved to the considered but rejected section.** The rationale for removing this alternative was based on the 1% difference between the recreational and commercial allocation currently in Alternative 5.

Action 4: Allowable Biological Catch (ABC) Control Rule, ABC Level(s), Annual Catch Limits, and Annual Catch Targets for Caribbean Spiny Lobster. The committee would like to see the Gulf data-poor rule incorporated into the alternatives. The committee recommends and I so move: **In Action 4, Alternative 2, that we have two sub-options:**

- a. South Atlantic data-poor ABC Control Rule**
- b. Gulf Council data-poor ABC Control Rule**

Staff stated that Action 4 would probably change quite a bit as the Councils continue to develop their representative ABC control rules. At the joint review of the Caribbean spiny lobster update assessment the Scientific and Statistical Committees would need to come to an agreement on the control rules at that time.

2.4.2 Set Annual Catch Limits (ACLs) for Caribbean Spiny Lobster

At the joint meeting in June the Councils agreed to move the delegation of management alternative to considered, but rejected section. Due to this action staff asked if the committee still wanted Alternative 3: Set separate state and federal ACLs based on landings to be analyzed. After discussion the committee recommends and I so move: **that Alternative 3 in Section 2.4.2 be moved to the considered but rejected section.**

2.4.3 Set Annual Catch Targets (ACTs) for Caribbean Spiny Lobster. The committee did not make modifications to the current preferred alternative.

Action 5: Accountability Measures (AMs) by Sector. The committee discussed the issues with tracking commercial and recreational in-season AMs. The commercial fishery would require a quota monitoring program versus using the current commercial logbook program. However, the recreational fishery does not have a monitoring program such as the Marine Recreational Fishing Statistics Survey program. Instead Florida FWC has a phone and e-mail recreational monitoring program that starts at the beginning of the recreational fishing season and runs through Labor Day. However, the committee was concerned about relying on this method to collect recreational lobster data and the additional stresses this might put on Florida FWC. Therefore the committee recommends and I so move: **Alternative 2 (Establish in-season AMs), option b. (recreational) and option c. (recreational and commercial combined AM) in Action 5 to the considered but rejected section.**

Action 6: Develop or update a framework procedure and protocol for enhanced cooperative management for spiny lobster. The committee did not make modifications or additions to this action.

Action 7: Modify regulations regarding possession and handling of short Caribbean spiny lobsters as “undersized attractants”. The committee spent a great deal of time discussing undersize attractants used in the commercial trap fishery. They asked that Mr. Bill Kelly from the Commercial Lobsterman Association come to a microphone and answer questions about industry.

The industry uses undersized attractants over bait because it is more effective for catching legal lobsters, versus using cut bait alone. The committee recommends and I so move: in Action 7 that the preferred alternative be Alternative 4. This alternative is consistent with regulations in the state of Florida for the commercial use of undersized attractants. Dr. Roy Crabtree was concerned with the committee selecting a preferred alternative that is less conservative and essential would create additional bycatch or regulatory discards in the commercial sector.

Action 8: Modify tailing requirements for Caribbean spiny lobster for vessels that obtain a tailing permit. The committee recommends and I so move: in Action 8, that the preferred alternatives be 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 License in order to obtain a tailing permit) and Alternative 5 (all Caribbean spiny lobster landed must be all “whole” or all “tailed”. This was the Gulf AP’s preferred alternative and it would eliminate recreational anglers from holding tail-separation permits, but still allow commercial spiny lobster fishers that travel longer distances, staying at sea longer the opportunity to hold a Tail-Separation permit.

Action 9: Limit spiny lobster fishing in certain areas in the EEZ off Florida to address Endangered Species Act Concerns for staghorn and elkhorn coral. The committee asked if there was a great deal of opposition from the industry concerning the areas that would be closed to prohibit lobster trapping in the EEZ or all lobster fishing in the EEZ. Mr. Bill Kelly stated there was not much opposition, because many commercial fishers had been working with the National Marine Sanctuary and the State of Florida concerning these areas and commercial fishers wanted to avoid setting their traps in areas where there were protected corals. The Gulf committee did not select a preferred alternative.

Action 10: Require gear markings so all spiny lobster trap lines in the EEZ off Florida are identifiable. The committee felt that this additional burden on the commercial fishery was not necessary, because the buoy lines and the traps themselves are marked. They would like to see an economic analysis with regards to this additional burden on the industry. Also, the committee recommends and I so move: to delete the phrase “not currently in use in other fisheries” in Alternatives 2, 3, and 4 in Action 10. The rationale for deletion of this phrase was due to vagueness, the committee felt it needed to be better defined.

Action 11: Allow the public to remove trap line, buoys, or otherwise make unfishable, any spiny lobster gear found in the EEZ off Florida. The committee felt this action could be very problematic and that caution should be used when allowing members of the public to remove gear and carry it through state waters. State of Florida regulations have high penalties for molestation or removal of commercial traps. Instead the committee suggested creating a specific season to allow members of the public to remove or clean up derelict traps after the fishing season has ended. The committee made the following motion, but it failed, because some members felt this was an issue that needed further discussion. Motion: In Action 11, to make Alternative 1 our preferred alternative.

Dr. Simmons noted that staff would make edits to the amendment and bring the next draft to the committee in February 2011 after the update stock assessment.

Mr. Shepherd Grimes suggested that an alternative to increase the minimum size limits to 3.5 inches be considered; however, the committee did not make any motions to do so.

Mr. Chairman, this concludes my report.