

DECISION DOCUMENT
for
AMENDMENT 11
to the Joint Fishery Management
Plan for the Spiny Lobster Fishery
in the Gulf of Mexico and
South Atlantic

March 2012



Panulirus argus

Why is the South Atlantic Council taking Action?

To satisfy ESA consultation requirements, NOAA Fisheries Service completed a formal consultation and resulting Biological Opinion (Bi Op) on the spiny lobster fishery in 2009. The Bi Op analyzed the potential impacts to ESA-listed species from the continued authorization of the federal spiny lobster fishery. The Bi Op determined the commercial spiny lobster trap sector of the spiny lobster fishery would adversely affect sea turtles, smalltooth sawfish, and elkhorn and staghorn corals, but would not jeopardize their continued existence. The Bi Op included several requirements to minimize impacts on the protected species, some of which were addressed in Spiny Lobster Amendment 10. However, the Gulf and South Atlantic Councils selected No Action for two of the actions in Amendment 10: designation of closed areas and trap line marking requirements.

Purpose for Action

The purpose of this amendment is to implement conservation measures to help protect endangered and threatened species in a manner that complies with measures established in the 2009 biological opinion on the spiny lobster fishery.

Need for Action

The need for the proposed actions is to aid in the protection and recovery of endangered and threatened species.

1. Limit Spiny Lobster Fishing in Certain Areas in the Exclusive Economic Zone (EEZ) off the Florida Keys to Protect Threatened Staghorn (*Acropora cervicornis*) and Elkhorn (*Acropora palmata*) Corals

Alternative 1: No Action – do not limit spiny lobster fishing in the EEZ off the Florida Keys in areas where threatened staghorn and elkhorn corals (*Acropora* spp.) occur.

Alternative 2: Close all known hardbottom in the EEZ off the Florida Keys where *Acropora* spp. occur and in water depths less than 30 meters (approximately 98 feet).

Option a. In the closed areas, spiny lobster trapping would be prohibited.

Option b. In the closed areas, all spiny lobster fishing would be prohibited.

Proposed Actions in Amendment 11

1. Limit Spiny Lobster Fishing in Certain Areas in the Exclusive Economic Zone (EEZ) off the Florida Keys to Protect Threatened Staghorn (*Acropora cervicornis*) and Elkhorn (*Acropora palmata*) Corals
2. Require Gear Markings for Spiny Lobster Trap Lines in the EEZ off Florida

Preferred Alternative 3: Create new closed areas in the EEZ off the Florida Keys with identified *Acropora* spp. colonies inside straight-line boundaries.

Preferred Option a. In the closed areas, spiny lobster trapping would be prohibited.

Option b. In the closed areas, all spiny lobster fishing would be prohibited.

**Waypoints and maps of proposed closed areas in Amendment 11/DSEIS

Alternative 2 would close approximately 71 mi² of the Florida EEZ.

Preferred Alternative 3 would close approximately 6.7 mi², approximately 2.5 mi² of which is anticipated to be fishable (i.e., non-hardbottom) habitat. There are 56 proposed areas.

Public Comments

- General support from commenters because of industry involvement in selecting the proposed areas.
- Divers and anchors also affect the coral, and the Council should look into those impacts to protect the coral.
- Suggestions for modifications to Area 2, Area 14, Area 15, and Area 30.

Gulf Council Actions

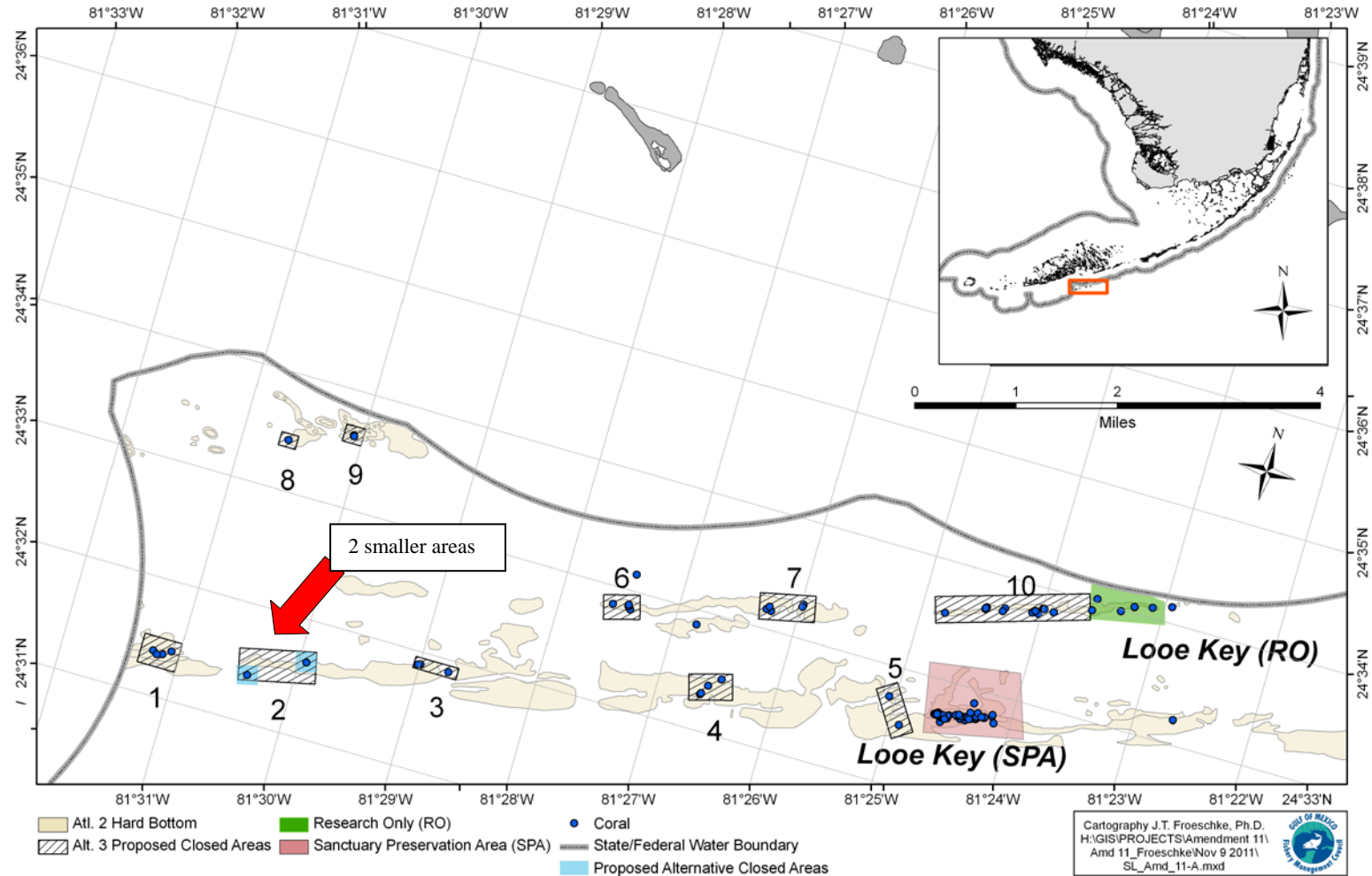
- Passed a motion to approve the modifications to Area 2, Area 15, and Area 30.

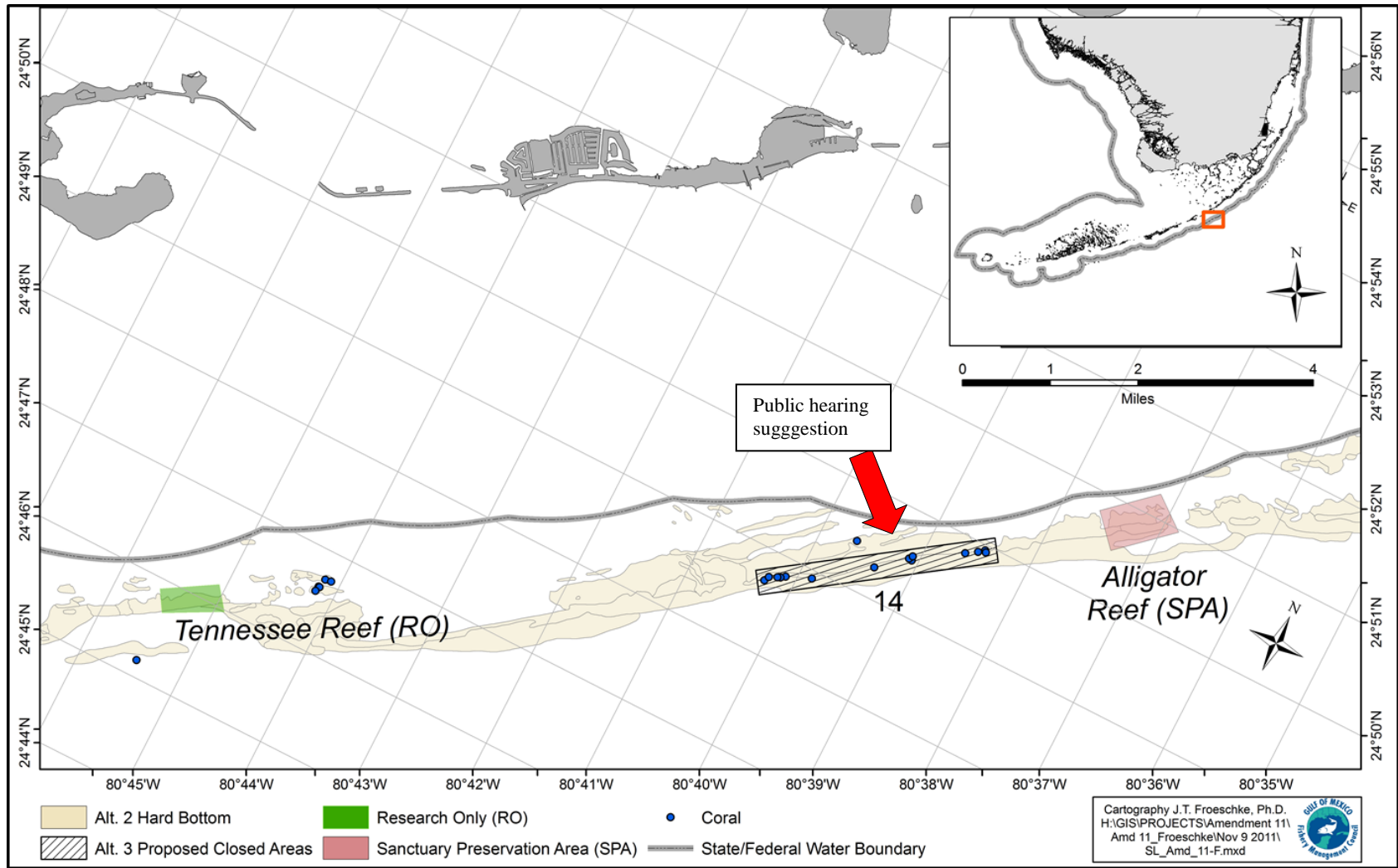
This would create 60 proposed closed areas and modify the current estimate of closed area from 6.7 to 5.9 mi².

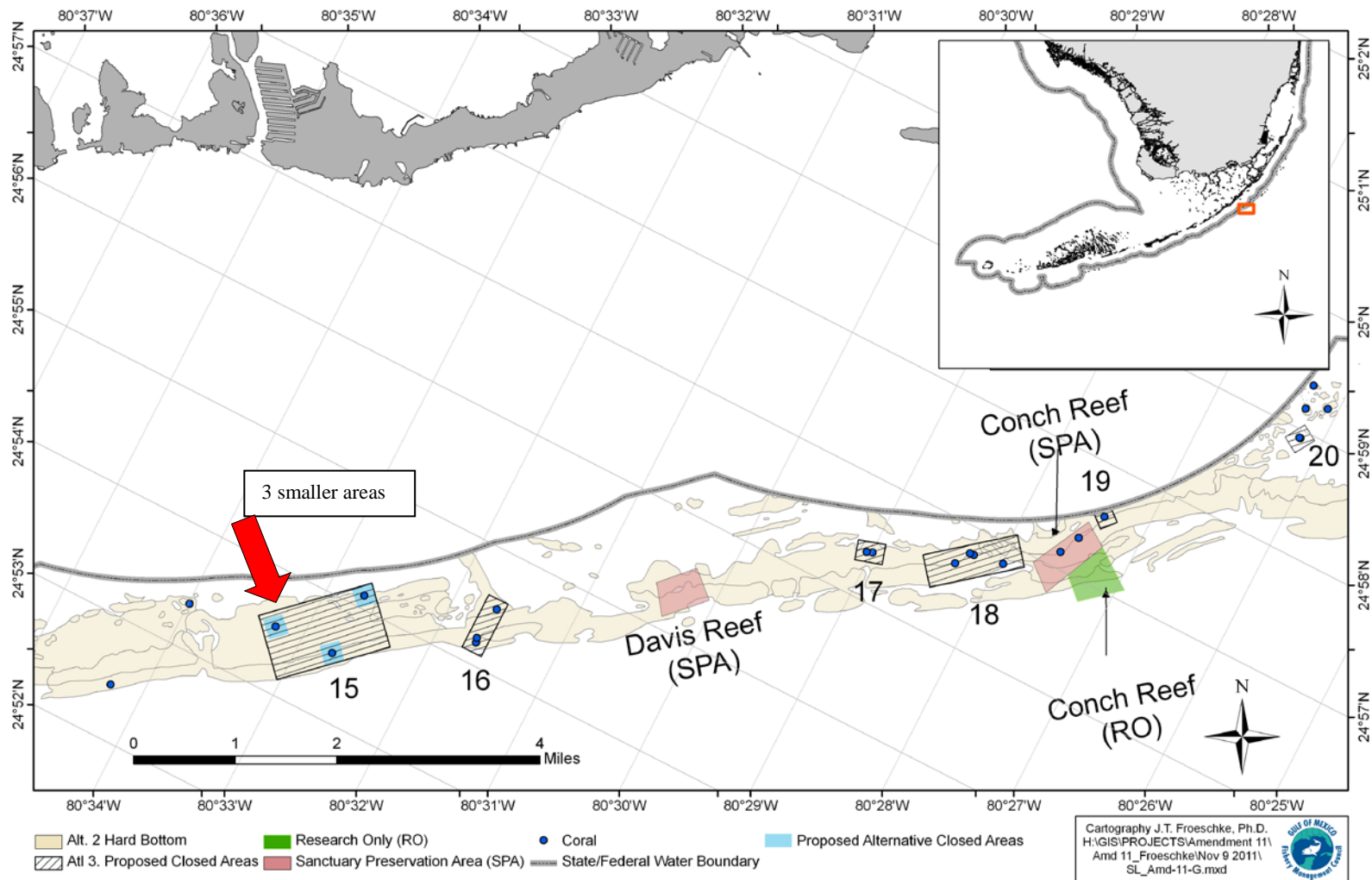
REQUIRED COMMITTEE ACTION: Change preferred alternative/option if necessary. Review and discuss the suggested modifications for the proposed closed areas, and approve if necessary.

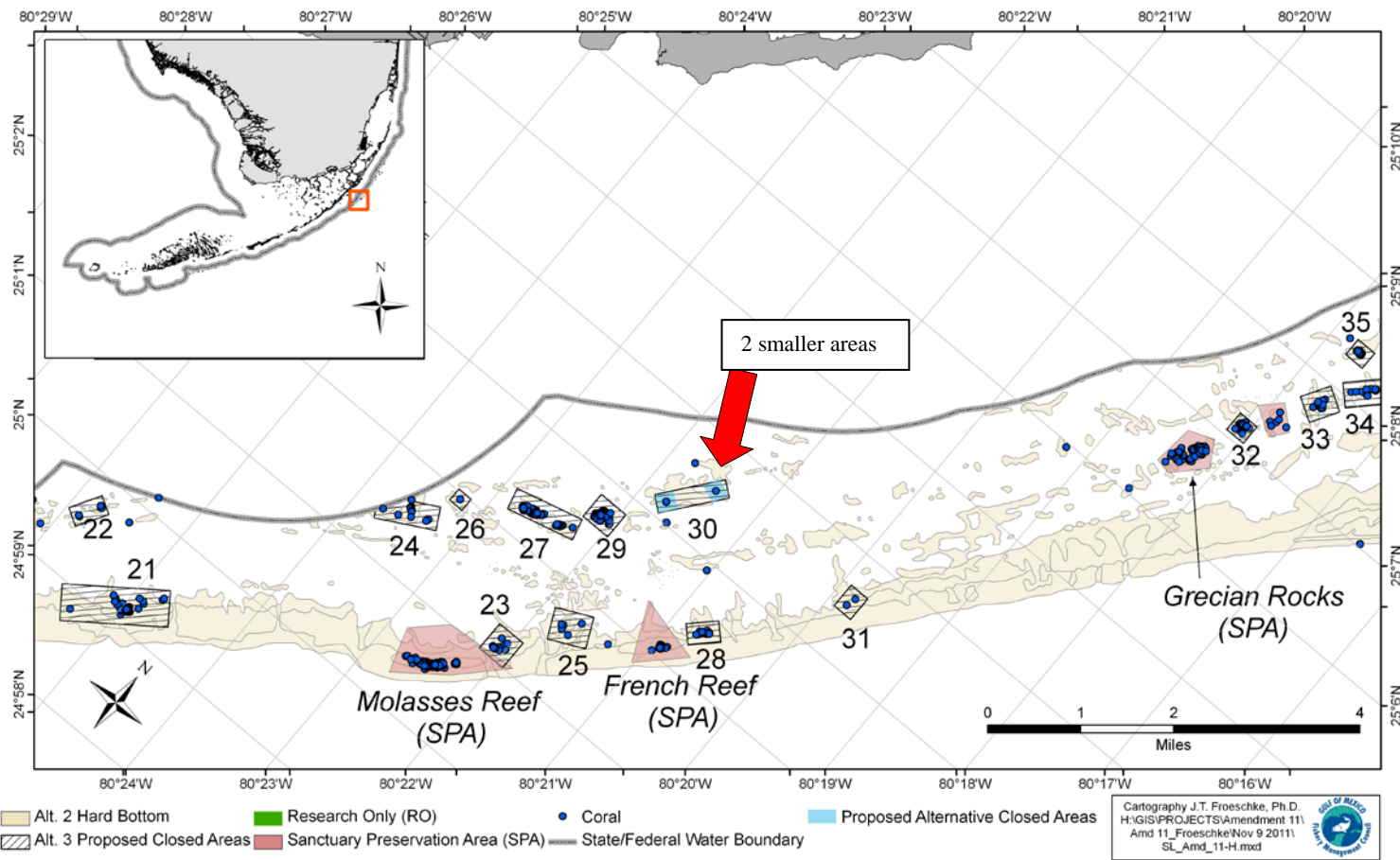
Note: The Gulf Council approved modifications to Areas 2, 15, and 30 and approved the Amendment and regulations for formal review. The South Atlantic Council needs to approve these changes for the document before Amendment 11 can be submitted for formal review.

Potential Area Modifications (to view all maps of proposed areas, see Amendment 11/DSEIS):









Action 2. Require Gear Markings for Spiny Lobster Trap Lines in the EEZ off Florida

Preferred Alternative 1: No Action – do not require markings for spiny lobster trap lines.

Alternative 2: Require all spiny lobster trap lines in the EEZ off Florida to have a white marking along its entire length, such as an all white line or a white tracer throughout the line. The marking must be visible at all times when traps are in use. All gear must comply with marking requirements no later than August 6, 2017.

Alternative 3: Require all spiny lobster trap lines in the EEZ off Florida to have a permanently affixed white marking at least 4-inch wide spaced at least every 15 ft along the trap line, or at the midpoint if the line is less than 15 ft. The marking must be visible at all times when traps are in use. All gear must comply with marking requirements no later than August 6, 2017.

Proposed Actions in Amendment 11

1. Limit Spiny Lobster Fishing in Certain Areas in the Exclusive Economic Zone (EEZ) off the Florida Keys to Protect Threatened Staghorn (*Acropora cervicornis*) and Elkhorn (*Acropora palmata*) Corals
2. Require Gear Markings for Spiny Lobster Trap Lines in the EEZ off Florida

Public Comments

- All commenters were in support of the Preferred Alternative 1, and noted that requiring a trap line marking would be very expensive and time-consuming for the fishermen.

Gulf Council Actions

- The Gulf Council did not make any changes to this action and did not change the preferred alternative.

REQUIRED COMMITTEE ACTION: Change preferred alternative if necessary.

REQUIRED COMMITTEE ACTION: Modify the amendment as appropriate and approve for formal review; deem the codified text as necessary and appropriate.

Option 1. Approve Spiny Lobster Amendment 11, as modified, for formal Secretarial review and give staff/Chair editorial license to make changes as necessary.

Option 2. Approve Spiny Lobster Amendment 11, as modified, for formal Secretarial review contingent on the Gulf Council approving all changes and give staff/Chair editorial license to make changes as necessary.

Option 3. Other?

Codified Text for Spiny Lobster Amendment 11

Option 1. Deem the codified text as necessary and appropriate and give staff/Chair editorial license to make changes as necessary.

Option 2. Deem the codified text as necessary and appropriate contingent on the Gulf Council approving all changes and give staff/Chair editorial license to make changes as necessary.

Option 3. Other?