

**SPINY LOBSTER AMENDMENT 11
SAFMC MEETING – DECEMBER 5, 2011
RALEIGH, NORTH CAROLINA**

PROPOSED CORAL PROTECTION SITES

ITEM	ISSUE	INDUSTRY RESPONSE
1	Proposed Boundaries, Sites 2,3,7,15,30	Break these locations into smaller sites. For example, site 2 measures 1500' x 3500' to protect an Acropora colony located at the extreme ends of the proposed site. The other sites are similarly disproportionate.
2	500' Buffer Zones	500' Buffer zones have been incorporated into each site. The original SEIS stated that 200' is sufficient but based on the inaccuracy of electronics used by fishermen the zones should be increased to 500'. Fishermen use sophisticated GPS electronics that according to the federal government website www.gps.gov provides a 95% accuracy rate of +/- 7.3 meters (24' feet). The language was edited from later copies of the SEIS but the buffer zones were not reduced to 200'.
3	"NMFS in cooperation with the Florida Keys National Marine Sanctuary, Gulf of Mexico and South Atlantic Fishery Management Councils must work to establish new closed areas or expand the size of existing closed areas in waters where Acropora is present to prohibit spiny lobster trap fishing."	None of the proposed sites expands existing closed areas and harvest of spiny lobster in these proposed areas is only restricted to spiny lobster trap fishing. From the SEIS, the FKNMS Sanctuary Advisory Council states by resolution, "... asked the FKNMS Superintendent to convey to the Councils and NOAA Fisheries Service that it would prefer the alternative that creates new or expands existing closed areas in which all spiny lobster fishing is prohibited."

TRAP ROPE MARKING

ITEM	ISSUE	INDUSTRY RESPONSE
1	SEIS Section 3.3.2 – “From 2002-2009, two bottlenose dolphins were entangled in <i>what was likely</i> Caribbean spiny lobster trap gear. During that period, an additional eight bottlenose dolphins in Florida were discovered with entangling trap/pot. <i>The type of gear could not be definitively linked to a target species or specific fishery.</i> No direct interactions between ESA-listed mammals and the Caribbean spiny lobster fishery <i>have ever been documented.</i> ” (Emphasis added)	These are inflammatory statements and broad-based assumptions especially considering the concluding wording that no entanglements have ever been documented. This could have been rope that was floating anywhere, fell off a work barge or was simply washed out to sea.
2	From the SEIS – “Because little spiny lobster trap fishing occurs outside Florida, the Bi-Op did not consider trap impacts to protected species anywhere else. Therefore, all measures required under the Bi-Op only apply to spiny lobster fishing occurring in the EEZ off Florida.”	Discriminatory. Spiny lobster trap fishing does occur outside of Florida and if environmental impacts are an issue then they should be examined throughout the range of the fishery and regulatory requirements should be applied accordingly.
3	SEIS – “... the Florida Keys Commercial Fishermen’s Association stated that white line is the second most preferable color because of its similar life expectancy (5-7) years and availability.”	This is taken out of context. Next to black rope, white is the most used color because it is utilized in bottom trawls and it is readily available in a weighted or ‘sinking line,’ whereas black is not. It does have a similar life expectancy to black but only because it is used in bottom trawls and has far less UV exposure.
4	From the SEIS – “Trap line marking would allow greater accuracy in identifying fishery interactions with protected species, leading to more targeted measures to reduce the level and severity of those impacts.”	In a telephone conversation on November 22, 2011 with Mr. Glenn Salvador, NMFS Outreach and Industry Coordinator for trap rope marking in the Mid-Atlantic and Northeast, in the years the program has been in effect in the those areas not one change has been made in fishing gear or fishing methods <i>as a result of information gathered from trap rope marking. What it has done is kept the industry and NMFS from being sued by environmental groups.</i>
5	Marking trap rope by tag insertion.	According to Mr. Salvador this method was tested in the Northeast and the tags did not last more than a single pull.
6	Trap rope marking by a continuous colored strand.	Mr. Salvador said this was considered but rejected in the Northeast and Mid-Atlantic because legally you cannot prevent rope manufacturers from selling the same color-coded rope to anyone else, thus there is no exclusivity. Reviewed and upheld by NOAA legal.

7	Congressional funding to meet compliance and cover industry costs.	Mr. Salvador stated millions of dollars were appropriated by congress to initiate the program and assist fishermen with compliance. Mr. Salvador advised me to contact Amanda Johnson, NMFS-PRD Northeast for details on the funding and program details. I called Ms. Johnson on 11/22/2011 and left a telephone message. She has yet to return my call.
8	AWLTRP Line Marking	Other than a line marking requirement, there are no other similarities to the regulations promulgated for the spiny lobster fishery. For example, AWLTRP requires one 4" mark at the midway point of the trap rope. In the spiny lobster fishery a 4" marker would be required every 15' which on average is 5 markers per trap rope.

**TYPICAL SPINY LOBSTER TRAP HAULER
&
TRAP ROPE CLEANER
(SEE PHOTO BELOW)**

- Note the yellow tag that has been inserted in the trap rope.
- The entire length of the trap rope is cleaned of barnacles and marine growth by passing through a notched and beveled stainless steel shaft machined to the same diameter of the trap rope.
- After passing through the trap rope cleaner, the rope is cinched down in the trap hauling spool, further shearing anything on the rope that is thicker than the rope diameter or attached to the rope.
- Each trap rope is cleaned on every haul which generally occurs every three to five days.



