

**SUMMARY REPORT
FROM THE SPINY LOBSTER COMMITTEE MEETING
St. Simons Island, GA
March 7, 2011**

The Spiny Lobster Committee met on March 7, 2011 in St. Simons Island, Ga. The committee reviewed Draft Amendment 10/DEIS and the Gulf Councils actions from their February 2011 meeting. **The committee provided guidance and approved the following motions:**

I. SPINY LOBSTER AMENDMENT 10/DEIS

4.1 Action 1: Other species in the Spiny Lobster FMP

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

Alternative 1: No Action – Retain the following species: smoothtail spiny lobster, *Panulirus laeviscauda*, spotted spiny lobster, *Panulirus guttatus*, Spanish slipper lobster, *Scyllarides aequinoctialis*, in the Fishery Management Plan for data collection purposes only, but do not add them to the Fishery Management Unit.

Alternative 2: Set annual catch limits and accountability measures using historical landings for Spanish slipper lobster *Scyllarides aequinoctialis*, after adding them to the Fishery Management Unit and for ridged slipper lobster, *Scyllarides nodifer*, currently in the Fishery Management Unit.

Alternative 3: List species as ecosystem component species:

Option a: smoothtail spiny lobster, *Panulirus laeviscauda*

Option b: spotted spiny lobster, *Panulirus guttatus*

Option c: Spanish slipper lobster, *Scyllarides aequinoctialis*

Option d: ridged slipper lobster, *Scyllarides nodifer*

Gulf Preferred and South Atlantic Preferred Alternative 4: Remove the following species from the Joint Spiny Lobster FMP:

Option a: smoothtail spiny lobster, *Panulirus laeviscauda*

Option b: spotted spiny lobster, *Panulirus guttatus*

Option c: Spanish slipper lobster, *Scyllarides aequinoctialis*

Option d: ridged slipper lobster, *Scyllarides nodifer*

4.2 Action 2: Modify the Current Definitions of Maximum Sustainable Yield, Optimum Yield, Overfishing Threshold, and Overfished Threshold for Caribbean Spiny Lobster

Action 2-1: 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) [Not approved by NOAA Fisheries Service letter received 1999]. 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.

South Atlantic Preferred 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.

MOTION #1: MAKE ALTERNATIVE 4 OUR PREFERRED ALTERNATIVE. APPROVED BY COMMITTEE

Gulf Preferred Alternative 4: the MSY proxy will be the OFL recommended by the Gulf of Mexico SSC (7.90 million pounds).

Action 2-2: Overfishing Threshold

Alternative 1: No Action - Use the current definitions of overfishing threshold. The Gulf of Mexico definition: overfishing exists when the fishing mortality 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 ($F_{20\% \text{ static SPR}}$).

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

South Atlantic Preferred 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 (MFMT) and if the current F is greater than the MFMT, overfishing is occurring. Comparing these two numbers:

$$\bullet F_{CURRENT}/MFMT = X.XXX$$

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

~~**Alternative 4:** Until an OFL is provided by the SSC, use the ACL as the measure of overfishing.~~

MOTION #2: REMOVE OLD ALTERNATIVE 4 AND MAKE NEW ALTERNATIVE 4 OUR PREFERRED ALTERNATIVE APPROVED BY COMMITTEE

Gulf Preferred Alternative 4: The overfishing threshold is the OFL defined by the Gulf of Mexico SSC.
Note: OFL=7.90 MP

Action 2-3: 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 Minimum Stock Size Threshold (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.

South Atlantic Preferred Alternative 2: 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.

MOTION #3: ADOPT ALTERNATIVE 3 AS OUR PREFERRED APPROVED BY COMMITTEE

Gulf Preferred Alternative 3: The $MSST = (1-M) \times B_{MSY}$.

4.3 Action 3: Establish Sector Allocations for Caribbean Spiny Lobster in State and Federal Waters from North Carolina through Texas

MOTION #4: ADOPT ALTERNATIVE 1 AS OUR PREFERRED APPROVED BY COMMITTEE

Gulf Preferred Alternative 1: No action – Do not establish sector allocations.

Alternative 2: Allocate the spiny lobster ACL by the following sector allocations: 80% commercial and 20% recreational.

Alternative 3: Allocate the spiny lobster ACL by the following sector allocations: 74% commercial and 26% recreational.

Alternative 4: Allocate the spiny lobster ACL by the following sector allocations: 78% commercial and 22% recreational.

Alternative 5: Allocate the spiny lobster ACL by the following sector allocations: 77% commercial and 23% recreational.

South Atlantic Preferred Alternative 6: Allocate the spiny lobster ACL by the following sector allocations: 76% commercial and 24% recreational.

4.4 Action 4: Acceptable Biological Catch (ABC) Control Rule, ABC Level(s), Annual Catch Limits, and Annual Catch Targets for Caribbean Spiny Lobster

Action 4-1: Acceptable Biological Catch (ABC) Control Rule

Acceptable biological catch 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 approved an ABC Control Rule at their December 2010 meeting. 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.

MOTION #5: ADOPT ALTERNATIVE 2 B AS OUR PREFERRED APPROVED BY COMMITTEE

Alternative 2: Adopt the following ABC Control rule:

Option a: the South Atlantic Council's ~~SSC~~ ABC control rule.

Gulf Preferred Option b: the Gulf Council's ~~SSC~~ ABC control rule.

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

Alternative 4: Specify ABC as equal to the mean of the last 10 years landings.

Alternative 5: Specify ABC as equal to the high of the last 10 years landings.

Alternative 6: Specify ABC as equal to the low of the last 10 years landings.

Action 4-2: Set Annual Catch Limits (ACLs) for Caribbean Spiny Lobster

Alternative 1: No Action – Do not set Annual Catch Limits.

MOTION #6: ADOPT ALTERNATIVE 2A AS OUR PREFERRED APPROVED BY COMMITTEE

Alternative 2: Set an Annual Catch Limit for the entire stock based on the Acceptable Biological Catch:

Gulf Preferred Option a: Annual Catch Limit = OY = Acceptable Biological Catch.

Option b: Annual Catch Limit = OY = 90% of Acceptable Biological Catch.

Option c: Annual Catch Limit = OY = 80% of Acceptable Biological Catch.

Alternative 3: Set Annual Catch Limits for each sector based on allocations determined in Action 3:

South Atlantic Preferred Option a: Annual Catch Limit = OY = (sector allocation x Acceptable Biological Catch).

Option b: Annual Catch Limit = OY = 80% or 90% of (sector allocation x Acceptable Biological Catch).

Option c: Annual Catch Limit = OY = sector allocation x (80% or 90% x% of Acceptable Biological Catch).

Action 4-3: Set Annual Catch Targets for Caribbean Spiny Lobster

South Atlantic Preferred Alternative 1: No Action – Do not set Annual Catch Targets.

MOTION #7: ADOPT ALTERNATIVE 2C AS THE PREFERRED APPROVED BY COMMITTEE

Alternative 2: Set an Annual Catch Target for the entire stock.

Option a: Annual Catch Target = x% of Annual Catch Limit.

Option b: Annual Catch Target = Annual Catch Limit.

Gulf Preferred Option c: Annual Catch Target = 6.0 million pounds

Alternative 3: Set Annual Catch Targets for each sector based on allocations from Action 3.

Option a: Annual Catch Target = (sector allocation x Annual Catch Limit).

Option b: Annual Catch Target = x% of (sector allocation x Annual Catch Limit).

Option c: Annual Catch Target = sector allocation x (x% of Annual Catch Limit).

4.5 Action 5: Accountability Measures (AMs) by Sector

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

Alternative 1: No Action – Do not set accountability measures. Currently there are no management measures in place that could be considered AMs.

Alternative 2: Establish commercial in-season accountability measures:

South Atlantic Preferred Option a: close the commercial fishery when the ACL is projected to be met.

Option b: implement a commercial trip limit when 75% of the commercial ACL is projected to be met.

Alternative 3: Establish post-season accountability measures:

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 an ACL overage. To estimate the overage, compare the recreational ACL with recreational landings over a range of years. For 2011, use only 2011 landings. For 2012, use the average landings of 2011 and 2012. For 2013 and beyond, use the most recent three-year running average.

Sub-option ii: Adjust the length of the fishing season following an ACL overage. To estimate the overage, compare recreational ACL with recreational landings over a range of years. For 2011, use only 2011 landings. For 2012, use the average landings of 2011 and 2012. For 2013 and beyond, use the most recent three-year running average.

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

Option c: Recreational and commercial combined accountability measures

Sub-option i: Adjust season length for both recreational and commercial 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).

MOTION #8: ADOPT ALTERNATIVE 4 AS OUR PREFERRED

APPROVED BY COMMITTEE

Gulf Preferred Alternative 4: Establish the ACT as the accountability measure for Caribbean spiny lobster.

4.6 Action 6: Develop or Update a Framework Procedure and Protocol for Enhanced Cooperative Management for Spiny Lobster

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

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

South Atlantic Preferred and Gulf Preferred 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:

South Atlantic Preferred and Gulf Preferred Option a: Adopt the base Framework Procedure

Option b: Adopt the more broad Framework Procedure

Option c: Adopt the more narrow Framework Procedure

4.7 Action 7: 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

South Atlantic Preferred Option b: allow 35 undersized lobsters

MOTION #9: ADOPT ALTERNATIVE 4 AS OUR PREFERRED APPROVED BY COMMITTEE

Gulf Preferred Alternative 4: Allow 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.

4.8 Action 8: 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.

Gulf and South Atlantic Preferred 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.

Gulf and South Atlantic Preferred Alternative 4: All Caribbean spiny lobster landed must either be landed all “whole” or all “tailed”.

4.9 Action 9: 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 all known hardbottom in the EEZ off Florida in 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.

South Atlantic Preferred and Gulf Preferred Option a: Create 25 —large closed areas to protect threatened *Acropora* corals.

Option b: Create 37 —medium closed areas to protect threatened *Acropora* corals.

Option c: Create 52 —small closed areas to protect threatened *Acropora* corals.

Alternative 4: Expand existing and/or create new closed areas to prohibit all spiny lobster fishing in the EEZ off Florida.

Option a: Create 25 —large closed areas to protect threatened *Acropora* corals.

Option b: Create 37 —medium closed areas to protect threatened *Acropora* corals.

Option c: Create 52 —small closed areas to protect threatened *Acropora* corals.

4.10 Action 10: Require Gear Markings so All Spiny Lobster Trap Lines in the EEZ off Florida are Identifiable

Alternative 1: No Action – Do not require gear marking measures for spiny lobster trap lines.

MOTION #10: ADOPT ALTERNATIVE 2 AS OUR PREFERRED APPROVED BY COMMITTEE

Gulf Preferred Alternative 2: Require all spiny lobster trap lines in the EEZ off Florida to be COLOR, or have a COLOR marking along its entire length. All gear must comply with marking requirements no later than August 2014.

Alternative 3: Require all spiny lobster trap lines in the EEZ off Florida to have a permanently affixed 4-inch COLOR marking every 15 ft along the buoy line or at the midpoint if less than 15 ft. All gear must comply with marking requirements no later than August 2014.

4.11 Action 11: Allow 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 the public to remove any derelict or abandoned spiny lobster trap found in the EEZ off Florida.

Alternative 2: Allow the public to completely remove from the water any derelict or abandoned spiny lobster trap found in the EEZ off Florida from the end of lobster 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 completely remove from the water any derelict or abandoned spiny lobster trap found in the EEZ off Florida during the closed seasons for both spiny lobster and stone crab (May 20-July 31).

Alternative 4: Allow the public to remove spiny lobster trap lines, buoys, and/or throats, but otherwise leave in place, any trap found in the EEZ off Florida from 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 remove spiny lobster trap lines, buoys, and/or throats, but otherwise leave in place, any trap found in the EEZ off Florida during the closed seasons for both spiny lobster and stone crab (May 20-July 31).

South Atlantic Preferred and Gulf Preferred Alternative 6: Delegate authority to regulate the removal of derelict or abandoned spiny lobster traps occurring in the EEZ off Florida to the Florida FWC.

II. APPROVE FOR PUBLIC HEARINGS

MOTION #11: APPROVE SPINY LOBSTER AMENDMENT 10 FOR PUBLIC HEARING AND DEIS REVIEW AND GIVE STAFF EDITORIAL LICENSE TO COMPLETE THE DOCUMENT APPROVED BY COMMITTEE

III. PUBLIC HEARING LOCATIONS & DATES

Public hearings will be held from 5-7 pm.

Dates (April 2011)	CMP Am 18 SAFMC	Spiny Lobster Am 10 GMFMC	Spiny Lobster Am 10 SAFMC
4/20	Key West, FL		Key West, FL
4/19	Marathon, FL	Marathon, FL	Marathon, FL
4/18	Cape Canaveral, FL		Cape Canaveral, FL
4/14	Jacksonville, FL		Jacksonville, FL
4/13	Savannah/Pooler, GA		Savannah/Pooler, GA
4/12	Charleston, SC		Charleston, SC
4/11	New Bern, NC		New Bern, NC

IV. ADVISORY PANEL MEETING

The SAFMC Spiny Lobster Advisory Panel will meet in Key West from 8:30 am to 4:30 pm on Wednesday, April 20th.

V. TIMING & TASK

MOTION #12: ADOPT THE TIMING AND TASK ITEMS 1-6:

APPROVED BY COMMITTEE

1. MAKE THE NECESSARY REVISIONS TO SPINY LOBSTER AMENDMENT 10/DEIS AND PROVIDE THE REVISED DOCUMENT TO THE GULF COUNCIL FOR USE AT THEIR APRIL 11-14, 2011 MEETING.
2. PREPARE THE NECESSARY DOCUMENTS FOR PUBLIC HEARINGS AND COORDINATE WITH THE GULF COUNCIL FOR MARATHON & KEY WEST.
3. PREPARE THE NECESSARY DOCUMENTS FOR THE SPINY LOBSTER ADVISORY PANEL MEETING WEDNESDAY, APRIL 20TH IN KEY WEST, FL.
4. ENSURE THE SAFMC'S SSC REVIEWS THE SEDAR UPDATE ASSESSMENT AND SSC SUBCOMMITTEE REPORT AND PROVIDES GUIDANCE TO THE COUNCIL PRIOR TO PUBLIC HEARINGS WHICH BEGIN ON APRIL 11, 2011.
5. COORDINATE WITH THE GULF COUNCIL TO CONDUCT THE JOINT SPINY LOBSTER COMMITTEE & JOINT COUNCIL MEETING DURING THE GULF COUNCIL'S JUNE 6-9, 2011 MEETING IN KEY WEST (JOINT COMMITTEE JUNE 7th FROM 8:30-11:30 AM; PUBLIC COMMENT JUNE 9TH AFTERNOON; AND JOINT COUNCIL SESSION JUNE 10TH FROM 2-3 PM).
6. TARGET FINAL APPROVAL OF SPINY LOBSTER AMENDMENT 10/DEIS FOR THE JOINT COUNCIL SESSION ON JUNE 10, 2011 IN KEY WEST. SPINY LOBSTER AMENDMENT 10/DEIS WILL NOT BE DISCUSSED DURING THE SAFMC'S JUNE 13-17, MEETING IN KEY WEST, FL.