

**SUMMARY REPORT
FROM THE SPINY LOBSTER COMMITTEE MEETING
Charleston, SC
September 14, 2009**

The Spiny Lobster Committee met on September 14, 2009 in Charleston, SC. The committee received presentations by:

1. Gregg Waugh, SAFMC Staff, reviewed the status of the Gulf Council scoping for Amendment 9. Scoping meetings will be held September 21-24, 2009.

2. Myra Brouwer, SAFMC Staff, reviewed the SAFMC's Coral AP recommendations for addressing concerns about staghorn and elkhorn corals:

The Coral AP discussed possible alternatives under Action 7 of the developing Spiny Lobster Amendment 9: Limit trapping in certain areas to address Endangered Species Act (ESA) concerns for staghorn and elkhorn corals.

Alternative 1. No action. Do not limit trapping in certain areas to address ESA concerns for staghorn and elkhorn corals.

Alternative 2. Prohibit trapping on known hardbottom (federal waters beyond 3 miles, less than 30 meters).

Alternative 3. Develop alternative based on map of critical habitat overlaid on SAFMC jurisdiction and spiny lobster fishing effort to determine "areas of known densities and areas of probable recruitment of coral" where trapping should be prohibited.

"Areas of known densities and areas of probable recruitment of coral" –more specific definition/criteria are needed.

Consider use of buffer zones?

Consider alterations to gear to increase stability?

The Coral AP recommends that the spatial approach under Alternative 3 above be used to determine candidate areas for trapping prohibitions.

3. Monica Smit-Brunello, NOAA GC, gave a report on withdrawing or partially withdrawing the Spiny Lobster FMP:

- a. Section 304(h) of the MSA describes that a ¾ majority vote of the Council(s) is necessary to request repealing a FMP.
- b. The Councils recently completed an amendment that prohibits imports less than the minimum size limits and this became effective on 2/11/09.
- c. The Council is considering changing the fishery management unit to only apply to NC, SC and GA.
- d. Based on her review and the input from the international legal staff, they cannot identify a way for the Councils to withdraw or partially withdraw the FMP without losing the import prohibition.

No motions were made but the committee provided the following direction to staff:

Direction to Staff/Team

1. Do not work on alternatives that would withdraw, partially withdraw, or repeal the Spiny Lobster FMP.
2. Continue working on alternatives that address delegating items to the State of Florida. Note: Mark Robson indicated that delegation would be more problematic for the Florida FWC than withdrawing or repealing the plan.
3. Council staff will present results of the Gulf Council scoping meetings to the Committee in December.