

# OVERVIEW

## Spiny Lobster Committee Meeting

March 7, 2011

Sea Palms Resort and Conference Center

5445 Frederica Road

St. Simons Island, Georgia

The Spiny Lobster Committee needs to: (A) approve minutes from the December 6, 2010 SAFMC Committee meeting and (B) review, modify and approve modified Spiny Lobster Amendment 10/DEIS for public hearings.

### **A. Approval of Minutes**

The committee will review and approve the South Atlantic Committee minutes from December 6, 2010.

### **REQUIRED COMMITTEE ACTION:**

1. Review and approve minutes.

### **B. Draft Spiny Lobster Amendment 10/DEIS**

Gregg Waugh, SAFMC Staff, will provide an overview of Gulf Council Actions (**Attachment 1**) and Amendment 10/DEIS (**Attachment 2**; emailed on March 3, 2011). The Gulf Council made a number of significant changes based on their SSC's input. The Gulf Council's SSC provided the following guidance at their January 2011 meeting:

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**REVISED DRAFT Standing, Special Spiny Lobster and Special Reef  
Fish Scientific and Statistical Committee  
Committee Summary  
Tampa Florida  
January 18-21, 2011**

The agenda was adopted with the addition of several items under Other Business: Proposed revisions to the SEDAR process, Issues regarding the ABC control rule, Location for next meeting, Template for species biological information, and Information needs to complete ABCs. The summary minutes of the December 13-15, 2010 meeting were approved with an editorial correction to the last line on page 10, change "whole weight" to "gutted weight" on the motion on page 11, and a correction to the Attachment 2 ABC control rule Tier 3b conditions for use.

### **Spiny Lobster Update Assessment**

Doug Gregory, chair of the Spiny Lobster Review Panel gave an overview of the stock assessment review to the Standing and Special Spiny Lobster SSC. The Review Panel concluded after careful consideration that there were sufficient concerns with the performance of the two assessment models to reject the assessment results and that the stock status of spiny lobster in the southeastern United States was unknown. In addition, Mike Tringali, from the Florida Fish and

Wildlife Conservation Commission gave a presentation that found new evidence indicating the southeastern United States spiny lobster stock largely depends on external recruitment from upstream Caribbean populations. The Assessment Review Panel concluded that the United States spiny lobster stock cannot be assessed in isolation and is not the appropriate geographical and biological scale needed to capture population-wide dynamics. Rene Buesa, on the Special Spiny Lobster SSC also gave a brief overview on his written considerations which the Review Panel concluded and SSC agreed would be better utilized during the next Benchmark assessment.

After extensive discussion the SSC concluded that, for purposes of setting OFL and ABC, Tier 3a from the Generic Annual Catch Limits/Accountability Measures Amendment was appropriate to use with the spiny lobster stock. However, there were no recreational landings estimates for 2004/05 in the landings data supplied to the SSC by Florida FWC and updated January 13, 2011 (Table 1). Multiple hurricanes over that time period resulted in undue bias in the survey attempts. Consequently, the landings for that year had to be estimated. In addition, the SSC agreed that spiny lobster stock was a special case where ABC could be set at the mean of the recent landings plus 1.5 standard deviations rather than the default of the mean plus 1 standard deviation. The methodology for estimating 2004/05 landings and the rationale for using 1.5 rather than 1 standard deviation are provided below.

**The SSC recommends that spiny lobster be considered as a special case fishery and set using Tier 3a in table 2.3.1 (ABC Control Rule) at:**

- **OFL is set as the mean of the most recent 10 years, (2000-2010) with data that does not include attractants, with landings plus 2 standard deviations at 7.90 million pounds and**
- **ABC set at the mean of the landings plus a 1.5 standard deviation at 7.32 million pounds.**

Motion passed unanimously.

Table 1. STATEWIDE landings provided by Florida FWC and updated January 13, 2011. Calculations for recreational and combined landings during the 2004/05 fishing year are outlined below and indicated in italics within the table.

Fishing Season	Commercial Landings	Recreational Landings	Combined Landings
2000/01	5,568,707	1,949,033	7,517,740
2001/02	3,079,263	1,251,081	4,330,343
2002/03	4,577,392	1,455,298	6,032,690
2003/04	4,161,589	1,411,509	5,573,097
2004/05	5,472,994	<i>1,657,535</i>	<i>7,201,308</i>
2005/06	2,963,160	1,131,014	4,094,174
2006/07	4,799,493	1,304,511	6,104,004
2007/08	3,778,037	1,215,069	4,993,105
2008/09	3,269,397	1,263,509	4,532,906
2009/10	4,343,305	1,126,714	5,470,019

Rationale:

Two aspects of the SSC's accepted OFL and ABC for spiny lobster may need further clarification. First, no estimate of recreational landings for the 2004/05 fishing year were provided in the landings data presented to the SSC. The mean percentage of total landings taken by the recreational fishery during the ten-year times series (2000/01 to 2009/10) over which mean landings and its standard deviation were computed was 24%. Therefore, recreational landings for the 2004/05 fishing year was estimated by first dividing the 2004/05 commercial landings by 0.76 to compute estimated total landings, with that quotient then multiplied by 0.24 to estimate recreational landings.

The second aspect of setting spiny lobster OFL/ABC that needs further clarification is the rationale for deviating from the default method for setting ABC under Tier 3a of the SSC's ABC control rule. The default under Tier 3a is to set ABC as the mean of a landings time series plus 1 standard deviation, but the maximum level ABC could be set is the mean of landings plus 1.5 standard deviations. This latter approach was chosen by the SSC. The rationale for this choice was the SSC's conclusion, based on population genetics and physical transport data presented, that there was a high probability that juvenile spiny lobster that settle in south Florida recruit from several spawning populations throughout the greater Caribbean and are not locally self-recruited. Therefore, there is a low probability that landings in south Florida will have a substantial effect on future recruitment there.

After further discussion, the SSC passed the following motion supporting the research recommendations in the assessment review workshop report.

**The SSC fully supports the research recommendations of the Spiny Lobster Update Assessment Review Workshop Report. Additionally, the SSC recommends that monitoring and research be supported to produce a Pan-Caribbean population-wide assessment as recommended by that panel.**

Motion passed unanimously.

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Draft Amendment 10/DEIS has been revised by the Interdisciplinary Planning Team (IPT) based on the South Atlantic's December 2010 meeting and the Gulf's February 2011 meeting. The Committee will review each action, make any necessary changes, choose preferred alternatives where missing, and approve the modified Amendment 10/DEIS for public hearings.

Both Councils have approved the amendment for public hearings. The Gulf Council has approved one public hearing in the Florida Keys at Marathon for spiny lobster and the South Atlantic has approved Marathon and Key West; the intent would be to hold these two as joint public hearings. [Note: For the SAFMC these will also be Mackerel Amendment 18 hearings; the GMFMC will hold separate mackerel hearings after their April meeting.]

Public hearings will be held from 5-7 pm.

<b>Dates (April 2011)</b>	<b>CMP Am 18 SAFMC</b>	<b>Spiny Lobster Am 10 GMFMC</b>	<b>Spiny Lobster Am 10 SAFMC</b>
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

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

A joint Gulf/South Atlantic Spiny Lobster Committee meeting is being scheduled during the Gulf Council's June 6-10, 2011 meeting at the Marriott Beachside in Key West. We are trying to hold this meeting on Tuesday, June 7<sup>th</sup>. We are also scheduling a Joint Mackerel Committee on the same day. The intent is to resolve all differences in Spiny Lobster Amendment 10/DEIS and have each committee recommend approval for formal review; same for Mackerel Amendment 18/EA. We are also trying to schedule a joint Gulf/South Atlantic Council session on Thursday (June 9<sup>th</sup>) or Friday (June 10<sup>th</sup>) where both Councils will take final action and approve these two amendments for formal review by the Secretary of Commerce. Spiny Lobster Amendment 10/FEIS must be approved at the June 2011 meeting so that NMFS can implement the ACLs/AMs prior to the end of the 2011 statutory deadline.

**REQUIRED COMMITTEE ACTION:**

1. Discuss all actions in Spiny Lobster Amendment 10/DEIS and modify as necessary.
2. Choose preferred alternatives for all actions.
3. Approve modified Spiny Lobster Amendment 10/DEIS for public hearings and DEIS review.

**C. Planning/Timing for Joint Spiny Lobster Amendment 10/DEIS**

**Specific steps in 2010 and 2011:**

- A. √IPT meeting – 1/21/2010
- B. √Draft Amendment prepared by SAFMC staff (Gregg Waugh) with assistance from NMFS staff (Susan Gerhart) and GMFMC staff (Carrie Simmons):
  - a. √GMFMC reviews and provides input:
    - i. √February 1-4 and
    - ii. √June 14-17 and
    - iii. √October 25-28, 2010 – Gulf Council receives report on South Atlantic Council Actions
  - b. √Joint Gulf/South Atlantic APs and Committees – June 7, 2010 from 8:30 am – 5 pm
  - c. √SAFMC reviews and provides input – June 7-11 and September 13-17, 2010

- C. ✓NMFS determined an EIS is necessary due to coral ESA issues and prepares appropriate notices.
- D. ✓IPT call on September 24, 2010
- E. ✓Document preparation schedule for Public Hearing Approval
  - a. ✓Revised sections (except Action 4) sent to Gregg – by October 22, 2010
  - b. ✓Revised document (except updated Action 4) sent to IPT – by October 29, 2010. Done 10/29/10.
  - c. ✓Comments to authors – by November 5, 2010.
  - d. ✓Revised sections sent to Gregg – by November 12, 2010.
  - e. ✓Revised document including Action 4 sent to IPT – by November 22, 2010.
  - f. ✓Comments and additions (especially Action 4) to Gregg – by November 24, 2010.
  - g. ✓Document revised and included in SAFMC 2<sup>nd</sup> Briefing Book – on November 29, 2010.
- F. ✓SEDAR Update complete and sent to SSC – November 3, 2010. Done 11/12/10.
- G. ✓Joint SAFMC/GMFMC SSC review – November 18-19, 2010
- H. SSC provides OFL & ABC – November 15-19, 2010
  - a. ✓SSC Subcommittee – rejected assessment
  - b. ✓Gulf SSC meets December 13-15, 2010
  - c. SAFMC SSC meets April 5-7, 2011. Final report received from SSC by Monday, April 11<sup>th</sup> at noon for presentation to hearings beginning April 11<sup>th</sup> at 5pm.
- I. Document preparation schedule for Gulf Council meeting
  - a. ✓Revised Amendment document with SAFMC actions sent to IPT – by COB 12/16/10. Done 12/16/10.
  - b. ✓IPT input to Gregg – by 1/10/11 (1/12/11 at the latest).
  - c. ✓Gregg to provide revised document to Carrie for Gulf briefing book – by 1/14/11. Done 1/20/11.
- J. ✓Councils review Draft Amendment/DEIS and approve for public hearings –
  - a. ✓GMFMC – February 7-10, 2011 Gulfport, MS; two documents:
    - i. SpLobAm10Alts as reviewed by SAFMC 2010
    - ii. Revised Spiny Lobster Amendment 10 document
  - b. ✓SAFMC – December 6-10, 2010 in New Bern, NC
- K. Document preparation schedule for DEIS and public hearing document:
  - a. ✓IPT Meeting – Feb 14, 2011.
  - b. ✓Revised document with reflecting GMFMC actions sent to IPT – Feb 14, 2011.
  - c. Updated sections sent to Sue – Feb 25, 2011.
  - d. Revised document available – March 3, 2011:
    - i. Sent to IPT, NOAA GC, SERO NEPA & SEFSC for review
    - ii. Document emailed to SAFMC for March 7-11, 2011 Council meeting.
  - e. SAFMC actions to Sue – March 16, 2011.
  - f. Review comments to Sue – March 16, 2011.
  - g. DEIS sent to PPI and Document available for public hearing distribution – March 21, 2011.
  - h. DEIS sent to EPA – April 6, 2011.
  - i. DEIS publishes, begin comment period.
  - j. DEIS comment period ends – May 31, 2011.

- k. Response to comments and draft modifications to Amendment 10/DEIS provided to Councils – June 3, 2011.
- L. Public Hearings – April 2011 (Note: Hearings for SAFMC will be Joint Mackerel & Spiny Lobster). **Public hearings will be held from 5-7 pm.**
  - a. Hotel arrangements –
  - b. FR Notice –
    - i. SAFMC will do for KW, Marathon and other SA locations.
    - ii. GMFMC will do for Gulf hearings
  - c. Public Hearing Summary
  - d. Public Hearing Presentation
- M. Review public comments and provide final approval of Amendment 10 for formal review by SOC –
  - a. GMFMC/SAFMC Spiny Lobster Committee – June 7<sup>th</sup> During Gulf meeting.
  - b. GMFMC – June 6-9, 2011 in Key West, FL
  - c. SAFMC – June 13-17, 2011 in Key West, FL
  - d. GMFMC/SAFMC Joint Council Session – June 9 or 10, 2011 in Key West, FL?**
- N. NMFS Declares Transmit Date as \_\_\_\_\_/11.
- O. Notice of Availability of Amendment 10 published \_\_\_\_\_/11.
  - a. Comments due no later than 5 pm EST on \_\_\_\_\_/11.
  - b. Send to Council, AP & SSC
  - c. Post to website; Fishery Bulletin will be posted to website.
  - d. Amendment approved on \_\_\_\_\_/11.
- P. Proposed Rule published \_\_\_\_\_/11.
  - a. Send to Council, AP & SSC
  - b. Comments due by \_\_\_\_\_/11.
- Q. Final Rule published \_\_\_\_\_/11.
  - a. Send to Council, AP & SSC