

History of Management for the Spiny Lobster Fishery Management Plan

History of Management

The Fishery Management Plan for Spiny Lobster in the Gulf of Mexico and South Atlantic (FMP) was implemented on July 26, 1982 (47 FR 29203). The FMP largely extended Florida's rules regulating the fishery to the EEZ throughout the range of the fishery, i.e. North Carolina to Texas. The FMP has been amended 7 times.

Amendment 1 was implemented on July 15, 1987 (52 FR 22659) with certain rules deferred and implemented on May 11, 1988 (53 FR 17196) and on July 30, 1990 (55 FR 26448). This amendment updated the FMP rules to be more compatible with that of Florida (state). Amendment 1 required a commercial permit, limited possession of undersized lobsters as attractants and required a live well, modified recreational possession and seasonal regulations, modified closed season regulations, required the immediate release of egg-bearing lobsters, modified the minimum size limit, required a permit to separate the tail at sea and prohibited possession or stripping of egg-bearing slipper lobsters.

Amendment 2 was approved on October 27, 1989 (54 FR 48059) and provided a regulatory amendment procedure for instituting future compatible state and federal rules without amending the FMP. Amendment 2 modified the problems/issues and objectives of the FMP, modified the statement of optimum yield, established a protocol and procedure for an enhanced cooperative management system, and added to the vessel safety and habitat sections of the FMP.

Amendment 3 was implemented on March 25, 1991 (56 FR 12357) and contained provisions for adding a scientifically measurable definition of overfishing, an action plan to prevent overfishing, should it occur, as required by the Magnuson Act National Standards (50 CFR Part 602), and the requirement for collection of fees for the administrative cost of issuing permits. The FMP, as amended, provides for management of the fishery throughout its range from North Carolina through Texas. However, the commercial fishery and, to a very large extent, the recreational fishery, occur off South Florida and principally off Monroe County in the Florida Keys (96 percent of landings in 1984).

Regulatory Amendment 1 (May 1992) to the FMP, implemented December 30, 1992, addressed: (1) extension of the Florida spiny lobster trap certificate system for reducing the number of traps in the commercial fishery to the EEZ off Florida; (2) revision of the FMP commercial permitting requirements; (3) limitation of the number of live undersize lobster used as attractants for baiting traps; (4) specification of gear allowed for commercial fishing in the EEZ off Florida; (5) specification of the possession limit of spiny lobsters by persons diving at night; (6) requirement of lobsters harvested by divers to be measured without removing from the water; and (7) specification of uniform trap and buoy numbers for the EEZ off Florida. All of these changes were implemented through the framework procedure of the FMP as established by Amendment 2.

Regulatory Amendment 2 (March 1993) addressed: (1) a change in the days for the special recreational season in the EEZ off Florida; (2) a prohibition on night-time harvest off Monroe County, Florida, during that season; (3) specifies allowable gear during that season; and (4) provides for different bag limits during that season off the Florida Keys and the EEZ off Other areas of Florida.

Amendment 4, prepared by the SAFMC, was implemented on September 15, 1995 (60 FR 41828). It provided a bag limit of 2 lobsters per day for all fishermen in waters off SAFMC states north of the Florida/Georgia border.

Amendments 5 and 6, prepared by the SAFMC, were generic amendments for describing Essential Fish Habitat (Comprehensive EFH Amendment) and for compliance with the Sustainable Fisheries Act (Comprehensive SFA Amendment), respectively. These amendments addressed those issues for all of the SAFMC's FMPs.

Generic Amendment addressing EFH for the FMPs of the Gulf of Mexico (partially approved February 1999). The amendment described the distribution and relative abundance of juvenile and adult spiny lobster for offshore, nearshore, and estuarine habitats of the Gulf.

Generic SFA Amendment for the FMPs of the Gulf of Mexico (partially disapproved November 1999). The amendment had proposed revision to maximum sustainable yield (MSY), optimum yield (OY), maximum fishing mortality threshold (MFMT), and maximum stock size threshold (MSST) for spiny lobster. MSY, OY and MFMT were disapproved because they were based on transitional spawning stock biomass per recruit (SSB/R). The amendment updated the description of the spiny lobster fisheries and provided fishing community assessment information for Monroe County, Florida.

Amendment 7 was implemented under a generic amendment that created two no-use marine reserves. Tortugas South (60 square nautical miles) was sited in the GMFMC EEZ to encompass a spawning aggregation site for mutton snapper. Tortugas North (120 square nautical miles) included part of the fishery jurisdiction of the FKNMS, Dry Tortugas national Monument, GMFMC, and the state of Florida, and was cooperatively implemented by these agencies. The GMFMC rule was effective August 19, 2002.

Regulatory Amendment 3 (October 2002) addressed the compatibility of Federal rules on spiny lobster in the EEZ off of Florida with State of Florida rules adopted through the Protocol and Procedures for an Enhanced Cooperative Management System contained in the original FMP. Consistent state and Federal rules were needed to fully implement and enforce Florida's management measures.