



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, Florida 33701-5505

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FB11-065

NOAA Fisheries Service Seeks Public Comment on Amendment 10 for Spiny Lobster in the Gulf of Mexico and South Atlantic *Comment Period Ends November 1, 2011*

NOAA Fisheries Service is seeking public comment on Amendment 10 to the Fishery Management Plan for the Spiny Lobster Resources of the Gulf of Mexico and South Atlantic Fishery Management Plan. The Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) have submitted Amendment 10 to NOAA Fisheries Service for review, approval, and implementation. The Notice of Availability for public comment on this amendment was published in the *Federal Register* on September 2, 2011.

Background

The fishery management plan is jointly managed by the Councils. NOAA Fisheries Service and the Councils developed Amendment 10 to address new requirements of the Magnuson-Stevens Fishery Conservation and Management Act. They also considered requirements listed in a biological opinion on the spiny lobster fishery developed under the Endangered Species Act.

Actions in Amendment 10

- Remove four species of lobster from federal management;
- Revise how thresholds used to determine the status of the stock, such as overfishing (rate of removal is too high) and overfished (population abundance is too low), are calculated;
- Establish an annual catch limit, annual catch target, and accountability measure;
- Revise the protocol for cooperation with Florida and the framework procedure, which allows for more timely implementation of routine regulatory changes;
- Require fishermen with tailing permits to land spiny lobster all whole or all tailed, and require applicants for a tailing permit to possess either a federal spiny lobster permit or the Florida permits required for commercial lobster fishermen;

- Allow retention of up to 50 Caribbean spiny lobsters under the minimum size limit and one per trap; and Delegate authority to Florida to remove derelict spiny lobster traps in federal waters.

The Councils also considered alternatives to create new closed areas to protect coral and implement trap line-marking requirements; however, they chose to take no action at this time to allow for additional stakeholder input.

Request for Comments

Written comments on this amendment must be received no later than November 1, 2011, to be considered by NOAA Fisheries Service. See the Addresses section for information on where and how to submit comments.

Addresses

Electronic copies of the amendment may be obtained from the NOAA Fisheries Service Web site sero.nmfs.noaa.gov/sf/SpinyLobsterAmendment.htm or the e-Rule Making Portal www.regulation.gov.

You may submit comments by any of the following methods:

- Electronic Submissions: Federal e-Rulemaking Portal: www.regulations.gov. All comments received are part of the public record and will generally be posted to www.regulations.gov without change. All personal identifying information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NOAA Fisheries Service will accept anonymous comments. To submit comments through the federal e-rulemaking portal: www.regulations.gov, click on "submit a comment", then enter "NOAA-NMFS-2011-0106" in the keyword search and click on

"search". To view posted comments during the comment period, enter "NOAA-NMFS-2011-0106" in the keyword search and click on "search". You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

- Mail: Susan Gerhart, NOAA Fisheries Service, Southeast Regional Office, Sustainable Fisheries Division, 263 13th Avenue South, St. Petersburg, Florida 33701-5505

Comments received through means not specified in this bulletin may not be considered.

Comments received by November 1, 2011, whether specifically directed to the amendment or the proposed

rule, will be considered by NOAA Fisheries Service in its decision to approve, disapprove, or partially approve the amendment. Comments received after that date will not be considered by NOAA Fisheries Service in this decision. All comments received by NOAA Fisheries Service on the amendment or the proposed rule during their respective comment periods will be addressed in the final rule.

For more information on Amendment 10 please refer to the [Frequently Asked Questions](#) on the NOAA Fisheries Service Web site.

If you would like to receive these fishery bulletins via e-mail as soon as they are published, e-mail us at: SERO.Communications.Comments@noaa.gov.

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