

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

SPINY LOBSTER COMMITTEE

Hyatt Regency Birmingham Birmingham, Alabama

April 3, 2017

**VOTING MEMBERS**

- 10 Martha Guyas (designee for Nick Wiley).....Florida
- 11 Doug Boyd.....Texas
- 12 Roy Crabtree.....NMFS, SERO, St. Petersburg, Florida
- 13 Dave Donaldson.....GSMFC
- 14 Campo Matens.....Louisiana
- 15 John Sanchez.....Florida

**NON-VOTING MEMBERS**

- 18 Kevin Anson.....Alabama
- 19 Leann Bosarge.....Mississippi
- 20 LCDR Leo Danaher.....USCG
- 21 Tom Frazer.....Florida
- 22 John Greene.....Alabama
- 23 David Walker.....Alabama

**STAFF**

- 26 Steven Atran.....Senior Fishery Biologist
- 27 John Froeschke.....Fishery Biologist-Statistician
- 28 Douglas Gregory.....Executive Director
- 29 Karen Hoak.....Administrative & Financial Assistant
- 30 Morgan Kilgour.....Fishery Biologist
- 31 Ava Lasseter.....Anthropologist
- 32 Mara Levy.....NOAA General Counsel
- 33 Emily Muehlstein.....Public Information Officer
- 34 Bernadine Roy.....Office Manager
- 35 Camilla Shireman.....Administrative Assistant
- 36 Carrie Simmons.....Deputy Director

**OTHER PARTICIPANTS**

- 39 J.P. Brooker.....Ocean Conservancy
- 40 Shane Cantrell.....CFA, Galveston, TX
- 41 Chris Conklin.....SAFMC
- 42 Levi Denham.....USCG
- 43 Tracy Floyd.....MDMR
- 44 Susan Gerhart.....NMFS
- 45 Ken Haddad.....ASA, FL
- 46 Chad Hanson.....Pew
- 47 Alison Johnson.....Oceana
- 48 Bill Kelly.....FKCFA

1 Amanda Nimbish.....CLS America  
2 Bart Niquet.....Panama City, FL  
3 Kirk Patterson.....CCA  
4 Rusty Pittman.....MDMR  
5 Bob Zales, II.....Panama City, FL

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[PAGE 6](#): Motion to make Alternative 2 the Preferred Alternative in Action 2. Alternative 2 is prohibit the use of traps for recreational harvest of spiny lobster in the South Atlantic EEZ. [The motion carried on page 6.](#)

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1 The Spiny Lobster Committee of the Gulf of Mexico Fishery  
2 Management Council convened at the Hyatt Regency Birmingham,  
3 Birmingham, Alabama, Monday afternoon, April 3, 2017, and was  
4 called to order by Chairman Marth Guyas.

5  
6 **ADOPTION OF AGENDA**  
7 **APPROVAL OF MINUTES**  
8 **ACTION GUIDE AND NEXT STEPS**  
9

10 **CHAIRMAN MARTHA GUYAS:** Folks on this committee would be John  
11 Sanchez, Doug Boyd, Roy Crabtree, Dave Donaldson, and Camp  
12 Matens. We have our agenda. Is there a motion to approve the  
13 agenda? It's a short one.

14  
15 **MR. DAVE DONALDSON:** So moved.

16  
17 **CHAIRMAN GUYAS:** We have a motion, and I see a second from John.  
18 Any opposition to approving the agenda? Seeing none, the motion  
19 is approved. How about the minutes from our last meeting in  
20 January? I need a motion to approve the minutes. Motion by  
21 John Sanchez and second by Dave Donaldson. Any opposition to  
22 approving the minutes? Seeing none, the minutes are approved.

23  
24 We won't go through the action guide, and so we will skip right  
25 ahead to Item IV, which is review of Spiny Lobster Regulatory  
26 Amendment 4. Go ahead, Morgan.

27  
28 **REVIEW OF SPINY LOBSTER REGULATORY AMENDMENT 4**  
29

30 **DR. MORGAN KILGOUR:** Maybe I can get us back on track. The  
31 reason why this is coming before you today is because, at the  
32 time the FRN was due, it was unclear whether or not the South  
33 Atlantic was going to add some alternatives to Action 1.2. In  
34 Full Council, they did not, and so this document has not changed  
35 since you saw it in January, with the exception of there is one  
36 clarifying statement in Action 1.2, and the South Atlantic  
37 Council has selected preferred alternatives.

38  
39 If it's okay with the committee chair, I will just go on down to  
40 1.2 and show you what has changed, and that is we have the note  
41 in 1.2 that says a review panel will be convened if there are  
42 two consecutive years of low landings, or, in other words,  
43 landings below 5.3 million pounds, and this will not replace the  
44 existing accountability measure, and so that's highlighted right  
45 up there in the alternatives.

46  
47 I also have in my notes that the South Atlantic has changed the  
48 wording on this just slightly, so that it says "a review panel

1 should convene if there are two consecutive years, but that's  
2 just a wording difference. The intent is still the same. Is  
3 this acceptable to everybody?

4  
5 **CHAIRMAN GUYAS:** Any discussion or opposition to this? I think  
6 we had discussed this several meetings ago, and so I think we're  
7 -- It looks like we're okay with this.

8  
9 **DR. KILGOUR:** Okay. Then the only other thing that has changed  
10 that you might want to comment on is that the South Atlantic has  
11 selected a preferred alternative in Action 2, and that was  
12 Alternative 2, to prohibit the use of traps for recreational  
13 harvest of spiny lobster in the South Atlantic EEZ. If you  
14 wanted to select a preferred alternative, you may. If not, you  
15 can wait until I bring this back to you in June.

16  
17 **CHAIRMAN GUYAS:** I think we had waited to select a preferred  
18 until after the South Atlantic had selected theirs, and so any  
19 interest in doing that now? Roy.

20  
21 **DR. ROY CRABTREE:** I would move that we select Alternative 2 as  
22 preferred, to match the South Atlantic Council.

23  
24 **CHAIRMAN GUYAS:** John seconds that. I will give it a minute to  
25 get on the board. Is there any discussion of this, in the  
26 meantime? While she is typing, Chris tells me that there is a  
27 webinar on this on May 9 from the South Atlantic, if anybody is  
28 interested. I think we have got it. In Action 2, to make  
29 Alternative 2 the preferred. **Is there any opposition to this**  
30 **motion? Seeing none, the motion carries.** Is there anything  
31 else?

32  
33 **DR. KILGOUR:** I was hoping that there was going to be something  
34 else mentioned from NMFS or from the State of Florida regarding  
35 the bully-netting.

36  
37 **DR. CRABTREE:** I guess there's a separate protocol that we could  
38 do something like that that folks would have to be pulled out,  
39 but, when I've done bully-netting, it's always in very shallow  
40 water. Is it really a gear that is used in the EEZ, and do you  
41 think it's something we need to do?

42  
43 **CHAIRMAN GUYAS:** No, and so, to fill everybody in, FWC recently  
44 made some changes to bully-netting regulations. It is something  
45 that occurs in shallow water, and so there's been changes at the  
46 state level, and I guess, at the South Atlantic, you all have  
47 discussed whether there should be some similar changes to the  
48 CFR to deal with those bully-netting things, and I think maybe

1 some other issues that are outstanding. I guess there's some  
2 discrepancies between state and federal regulations, and so did  
3 you all talk about bringing that back again at some point in a  
4 separate amendment?

5  
6 **MR. CHRIS CONKLIN:** I will have to look back through our summary  
7 motions and get back with you on that.

8  
9 **CHAIRMAN GUYAS:** Bully-netting is definitely a state water  
10 thing. It's shallow water. I mean, you see the bottom, but, if  
11 there is other things that need to be fixed up, I guess that  
12 could come back in a separate amendment. Mara.

13  
14 **MS. MARA LEVY:** I know that Roy mentioned the separate protocol,  
15 and so I know that NMFS and GC and the Southeast are looking at  
16 that, and so they are doing that, and I guess, when they figure  
17 it out, it will come back.

18  
19 **MR. CONKLIN:** I do remember we had the conversation about it,  
20 and, if it actually occurred in federal waters, because I think  
21 I asked that question, and I think it was something that  
22 Jessica, who is FWC, said that they were going to take care of,  
23 but I am going to double-check and get back with you.

24  
25 **CHAIRMAN GUYAS:** I guess, for the committee, at some point we  
26 could see, probably in a separate amendment, but some follow-up  
27 items that we need to do for spiny lobster in the future, but,  
28 for now, I think we're good. Is that it for this amendment,  
29 Morgan, or do we need to walk through anything else? Okay. Is  
30 there any other business from anyone else on the committee?  
31 Then the committee is adjourned.

32  
33 (Whereupon, the meeting adjourned on April 3, 2017.)

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