

The Fishery Management Plan for Golden Crab in the South Atlantic Region

History of Management

The golden crab resource and fishery in the South Atlantic Region were unprotected prior to implementation of the FMP. The Council approved a **control date** that was published in the Federal Register on April 7, 1995. The Council completed the **Golden Crab FMP** (SAFMC, 1995) and submitted the plan for formal Secretarial Review on December 15, 1995. Regulations implementing the FMP were published in the Federal Register on August 27, 1996 [61 Federal Register 43952]; various regulations became effective August 27, September 26, and October 28, 1996 and September, 1997.

The Golden Crab FMP relies on a system of traditional fishery management plus controlled access. Traditional fisheries management includes measures to provide biological protection to the resource (escape gaps in traps and no retention of female crabs); gear regulation (define allowable gear, degradable panel, tending requirements, gear identification, and maximum trap size by zone); provides for law enforcement (depth limitations and prohibit possession of whole fish or fillets of snapper grouper species); determine the number of participants (vessel and dealer/processor permits); collect the necessary data (vessel/fishermen and dealer/processor reporting); and a framework procedure to adjust the management program (framework adjustments and adjustments to activities authorized by the Secretary of Commerce). Use of these traditional management techniques in other fishery management plans has not solved all fisheries management problems. At best, the fishery resource, in this case golden crab, is biologically protected. Ignored or even exacerbated are underlying social and economic problems resulting from conflicts, high regulatory costs, and low marketing incentives. To solve these social and economic problems, managers have increasingly turned to various forms of controlled access or effort limitation. The Council chose to limit the number of vessels in the golden crab fishery. Combining the more traditional fisheries management measures with controlled access best allowed the Council to solve problems in the golden crab fishery.

Framework Seasonal Adjustment #1 (SAFMC, 1997) revised the vessel size limitations applicable when a vessel permit is transferred to another vessel and extended through December 31, 2000, the authorization to use wire cable for a mainline attached to a golden crab trap. The framework document was sent to NMFS on September 26, 1997 and the proposed rule was published on June 26, 1998. The final rule was published in the Federal Register on October 28, 1998 with regulations effective upon publication.

Amendment 1 (SAFMC, 1998a) was a part of the Council's Comprehensive Amendment addressing Essential Fish Habitat in FMPs of the South Atlantic Region. Essential fish habitat for golden crab includes the U.S. Continental Shelf from Chesapeake Bay south through the Florida Straits (and into the Gulf of Mexico). In addition, the Gulf Stream is an essential fish habitat because it provides a mechanism to disperse golden crab larvae. The detailed description of seven essential fish habitat types (a flat foraminiferan ooze habitat; distinct mounds, primarily of dead coral; ripple habitat; dunes; black pebble habitat; low outcrop; and soft-bioturbated habitat) for golden crab is provided in Wenner et al. (1987). Refer to Section 3.0 in the Habitat Plan (SAFMC, 1998c) for a more detailed description of habitat utilized by the managed species. Also, it should be noted that the Gulf Stream occurs within the EEZ. There is insufficient knowledge of the biology of golden crabs to identify spawning and nursery areas and to identify HAPCs. As information becomes available, the Council will evaluate such data and identify HAPCs as appropriate through the framework. In addition, Amendment 1 established a framework procedure to address habitat issues; this framework was added to the framework of all approved FMPs including the Golden Crab FMP.

Amendment 1 was submitted to the NMFS on October 9, 1998. The Notice of Availability was published in the Federal Register on March 5, 1999 and the Comprehensive Habitat Amendment was approved on June 3, 1999. The proposed rule was published on July 9, 1999 and a supplement to the proposed rule was published on November 2, 1999. The final rule was published in the Federal Register on June 14, 2000 with regulations becoming effective July 14, 2000.

Amendment 2 (SAFMC, 1998b) was a part of the Council's Comprehensive Amendment addressing Sustainable Fishery Act definitions and other required provisions in FMPs of the South Atlantic Region. The amendment was partially approved on May 19, 1999. The final rule was published in the Federal Register on November 2, 1999 with regulations becoming effective December 2, 1999. The description of fisheries and communities was approved and bycatch reporting was approved. The

remaining items for golden crab were disapproved because “the stock status determination criteria are incomplete and, thus, do not totally fulfill the new requirements of the Magnuson-Stevens Act and the national standard guidelines”.

Lastly, this current effort at managing the Golden crab fishery is distinguished by the practice of co-management, which has been defined by McGoodwin (1990, pp. 189-190) as “a shift away from autocratic and paternalistic modes of management to modes that rely on the joint efforts of traditional fisheries specialists and fishing peoples. The options for managing the fishery that are put forth in this document have been developed by the golden crab fishermen and refined in consultation with the SAFMC. It is hoped that such efforts will increase the legitimacy of the future regulations and make the rationale for such regulations more understandable to all involved.