

Exempted Fishing Permit (EFP): Assessing harvest efficiencies and fishery viability for golden crab in the Gulf of Mexico

This EFP is issued to Bradford Whipple and Howard Rau in accordance with procedures established at 50 CFR 600.745(b). The EFP authorizes the applicants to use traps to target golden crab from the vessels listed in Appendix 1 and as described in the attached "Terms and Conditions" (Appendix 2). The deployment of the traps is limited to the area off the southwest coast of Florida between 25° N and 26° 36' N, in depths ranging from 1,800 to 2,600 feet, excluding the West Florida Wall proposed Habitat Area of Particular Concern and the Okeanos Ridge, as shown in Appendix 3. The EFP exempts the applicants from regulations at 50 CFR 622.9(c) (prohibited gear and methods-general, fish traps).

The EFP is valid from the date of issuance through December 31, 2021, when signed by both the Regional Administrator and the applicants, and becomes effective on the later of the two signature dates.

All vessels engaging in the activities authorized pursuant to this EFP must have a copy of this EFP onboard. As specified in 50 CFR 600.745(b)(9), failure to comply with any of the conditions in Appendix 2 or Appendix 3 may be grounds for revocation, suspension, or modification of the EFP with respect to all persons and vessels conducting activities under the EFP.

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11/14/2019

Bradford Whipple

11/17/19

Signature
Roy E. Crabtree, Ph.D.
Regional Administrator
National Marine Fisheries Service

Date Signed

Signature
Bradford Whipple, EFP Holder

Date Signed

Howard Rau

11/19/19

Signature
Howard Rau, EFP Holder

Date Signed

By signing this document, the EFP Holder agrees to comply with all terms and conditions, outlined in Appendix 2, of this permit, and all restrictions and relevant regulations. This includes agreeing that the owners and crews of the participating vessels identified in the attached Appendix 1 will comply with the terms and conditions, outlined in Appendix 2, of this permit.

Appendix 1

List of Participating Vessels and Participants in the Golden Crab Exempted Fishing Permit

List of Participating Vessels

<u>Vessel Name</u>	<u>Owner/Operator</u>	<u>Vessel Documentation</u>
F/V Cape St. Mary's II	Bradford Whipple	FL3897RL
F/V Erica Frances	Howard Rau (owner) Tim McGurl - Captain	638529

List of Participating Individuals

Howard Rau
Bradford Whipple
Tim McGurl
Jason Wells

Appendix 2

Terms and Conditions

Gulf of Mexico Golden Crab Exempted Fishing Permit (EFP)

A. PURPOSE.

This EFP will allow the applicants to examine the effectiveness and performance of modified trap designs for capturing golden crab in the Gulf of Mexico (Gulf). Per their application, the applicants' goal in conducting the activities under the EFP is to research the viability of a small-scale commercial golden crab fishing operation utilizing traps in the southeastern Gulf.

B. BACKGROUND.

In the early 1980's, golden crab fishing operations were occurring in the Gulf, with vessels operating from Tampa and the Florida Keys. In 1995, the Gulf of Mexico Fishery Management Council (Council) considered developing a golden crab fishery management plan because of growing interest in the fishery. Effort in the Gulf waned due to quality control issues and the ability to find a stable market for the product. However, in recent years, refrigerated sea water systems, trap technology, the stable ex-vessel value of golden crab, and increased market demand, have addressed many of the problems originally faced in the Gulf golden crab fishery. With these changes and innovations, it appears that there is potential for a small-scale golden crab fishery. This project would allow for collection of new information on golden crab in the Gulf.

When the Council prohibited fish traps in Gulf federal waters, exceptions were made in the definition of a fish trap for crustacean traps that had historically been fished in the Gulf, including stone crab, blue crab, and spiny lobster. At the start of the Gulf fish trap prohibition, golden crab was not being actively fished in the Gulf and an exception for a golden crab trap was not included in the Gulf definition of a fish trap.

This EFP provides an exemption to the fish trap prohibition at 50 CFR §622.9(c) to allow the applicants to deploy golden crab traps in Gulf federal waters. Data from the testing of the traps as well as information on the golden crab stock could be important to resource managers in making decisions on possible future management of golden crab.

C. SCOPE OF WORK.

Under the EFP, standard and modified golden crab traps in a line (trawl) of 6-40 traps, baited with fish carcasses, will be set on the seafloor in the southeastern Gulf, with soak times ranging from overnight to 17 days. Over the course of the project, the most traps in the water at any one time will be less than 100 and a maximum of 60 sets of traps will be hauled. Each trawl will be marked on a GPS to ensure ease of finding the line between traps for retrieving gear. No buoy lines to the surface will be used and the gear will be set in muddy bottom habitat.

The applicants will use sophisticated sounder technology to identify muddy bottom and avoid hardbottom.

Data to be collected per trip will include: gear configuration; date, time, and position (latitude, longitude) of deployment and retrieval of trawls; water depth of each deployed trawl, bait type used; soak time for each trawl; trap loss and movement from original set position; protected species interactions; coral interactions, bycatch species (amount, size, and disposition); number of golden crab females released; and golden crab catch data for each trap type. Representative sub-samples of golden crabs and any bycatch would be collected for species identification verification at the Southeast Fisheries Science Center, as requested. Reporting requirements under the EFP are included in Section E, below.

D. PERMIT CONDITIONS/MITIGATION.

The National Marine Fisheries Service (NMFS) has the discretion to modify the conditions of the EFP or to end the project, to address bycatch or other issues, as warranted.

This exemption applies to Gulf of Mexico waters under federal jurisdiction. The traps may be deployed only in the following area:

- The southern boundary of the golden crab test area is 25 ° N
- The northern boundary of the golden crab test area is 26 °36’ N
- Within these boundaries, trap deployment is allowed between the depths of 1,800 feet and 2,600.

Trap deployment is prohibited in the West Florida Wall proposed Habitat Area of Particular Concern and the Okeanos Ridge, as defined below:

West Florida Wall	A	84°47.955’	26°28.835’
	B	84°46.754’	26°28.816’
	C	84°42.076’	26°10.471’
	D	84°44.577’	26°10.528’
	E	84°47.986’	26°25.028’
	F	84°47.980’	26°25.100’
	A	84°47.955’	26°28.835’

Okeanos Ridge	A	-84.62156	25.69339
	B	-84.52541	25.69179
	C	-84.52721	25.60467
	D	-84.62329	25.60626
	A	-84.62156	25.69339

Activities under the EFP must be in compliance with the scope of work, described in Section C, above, including:

- No more than 40 traps may be fished per trawl.

- Trawls will have no surface buoys.
- A maximum of 100 traps will be deployed in the water at any given time.
- Soak times will not exceed 17 days per deployment.
- No more than 60 sampling trips may be taken during the effectiveness of the EFP.
- Bycatch species must be returned to the water as soon as possible, except as noted in the following bullet.
- Commercial fishermen will be able to retain commercially viable species harvested in compliance with all applicable laws and regulations as commercial catch (e.g., permitted commercial fishermen may retain those species they would otherwise be able to legally retain, namely species harvested from allowable areas within the allowed season, size limits, gear requirements, vessel requirements, and any other requirements).
- Lines between traps fished in a trawl should be limited to the minimum length necessary.
- All traps are required to have a degradable panel to minimize adverse impacts from ghost fishing if trap is lost.
- Gear may not be set in an area in which a protected species is observed.
- Observers must be accommodated, if requested by NMFS.

Each vessel shall carry on board and prominently display the EFP. The EFP must be presented for inspection upon request of any authorized law enforcement officer.

E. REPORTING REQUIREMENTS AND DATA DISSEMINATION.

The EFP holders shall submit the following information by **January 1** each year, to the Regional Administrator, NOAA Fisheries, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, Florida 33701-5505. The EFP holders agree to the public release of aggregated information obtained as a result of activities conducted under this permit.

Gear

- Detailed description of trap type, construction material, and dimensions.
- Detailed descriptions of any modifications from standard specifications made to the trap (e.g. funnel size or shape).
- The numbers of each trap type and configuration of how trap(s) were set (e.g. trawl).
- Approximate weight of each trap.
- Detailed description of line type, length of line, line material, and line breaking strength.
- Number of lost or missing traps and/or gear.
- Latitude and longitude of each individually set trap or, if a trawl, the starting and endpoints of traps. Coordinates should be taken at the time of trap deployment and at the time of trap retrieval.
- Water depths of each individual trap; if in a trawl, depth of the starting and endpoints of traps.
- Soak time for each trap or trawl.

Catch Information

- Bait type used, or specify if no bait is used.
- Numbers, lengths, and species identification of all fish and crustaceans captured by trap type.
- Numbers and species kept for sale.

- Number of female golden crab released.
- Any interaction with coral must be reported.

Protected Species

- Any ESA-listed species interactions must be immediately reported to the NMFS Protected Resources Division at 727-824-5312.
- If a live dolphin is found entangled, immediately call the Marine Mammal Stranding Hotline at 1 877 WHALE HELP for further instruction.
- Any entangled marine mammal or incidental injury or mortality to a marine mammal should be reported to the Marine Mammal Authorization Program within 48 hours. Reporting forms can be found at <http://www.nmfs.noaa.gov/pr/interactions/mmap/>.

F. CONSERVATION RECOMMENDATIONS.

NMFS recommends the following best practices, but they are not required as a condition of this permit:

- If bait is utilized and then found to be ineffective, or it attracts protected species, it is recommended that bait-use is discontinued.
- Use line with a breaking strength less than 1,400 pounds to help reduce the risk of serious injury or mortality if a large whale becomes entangled in trap gear.
- Gear marking with “GC” to be able to differentiate between possible lost gear of the EFP holders versus others that may be illegally fishing for golden crab in the area.

Appendix 3

Map of Exempted Fishing Area and Prohibited Areas

Gulf of Mexico Golden Crab Exempted Fishing Permit (EFP)

