



Regulations Governing the Use of Traps and Pots in the U.S. EEZ in the Caribbean

**Caribbean Fishery Management Council
Meeting of the District Advisory Panels
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Presentation Overview

- Traps as an authorized gear
- Trap prohibition in protected areas
- Trap construction and marking requirements
- Control date for spiny lobster and reef fish trap fisheries



Traps and Pots Are *Authorized* in the Following Fisheries:

- *Fisheries listed as under the IBFMPs*
- EEZ around Puerto Rico
 - Commercial and recreational fisheries for **PR reef fish**
 - Commercial and recreational fisheries for **spiny lobster**
- EEZ around St. Croix
 - Commercial and recreational fisheries for **STX reef fish**
 - Commercial and recreational fisheries for **spiny lobster**
- EEZ around St. Thomas and St. John
 - Commercial and recreational fisheries for **STT/STJ reef fish**
 - Commercial and recreational fisheries for **spiny lobster**

Authorized Gear



Traps as Authorized Gear, continued

- Traps are not authorized in any other fishery.
- “The use of any gear or participation in a fishery not on the . . . list of authorized fisheries and gear is prohibited after December 1, 1999.” 50 CFR 600.725(v).
- “However, after December 1, 1999, an individual fisherman may notify the appropriate Council . . . of the intent to use a gear or participate in a fishery not already on the list. Ninety days after such notification, the individual may use the gear or participate in that fishery unless regulatory action is taken to prohibit the use of the gear or participate in the fishery (e.g., through emergency or interim regulations).” 50 CFR 600.725(v).
- See *also* 50 CFR 600.747(c), notification procedures.



Protected Areas

Trap Prohibition in Protected Areas

- Fishing with traps and pots (among other gears) is prohibited year-round in the following areas (federal waters):
- **Off Puerto Rico**
 - Tourmaline Bank (red hind spawning aggregation area)
 - Abrir La Sierra Bank (red hind spawning aggregation area)
 - Bajo de Sico
- **Off St. Croix**
 - Mutton Snapper Spawning Aggregation Area off St. Croix
 - Red Hind Spawning Aggregation Area East of St. Croix
- **Off St. Thomas and St. John**
 - Grammanik Bank

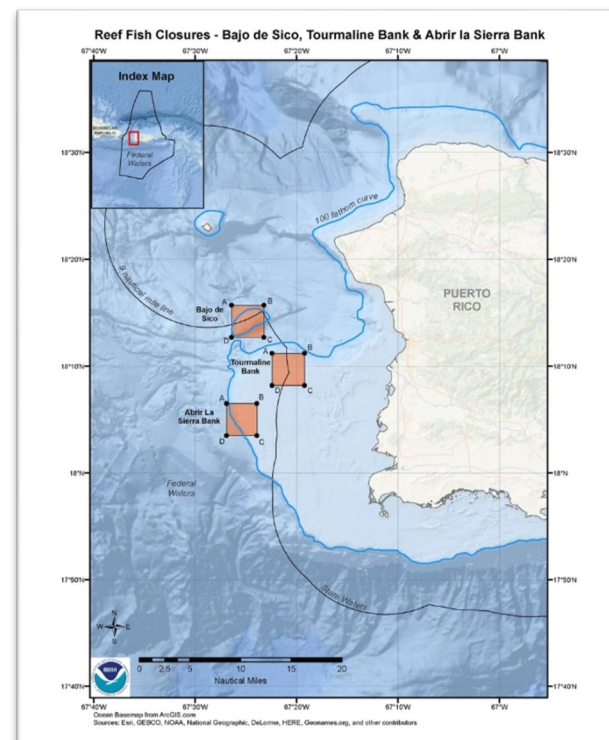
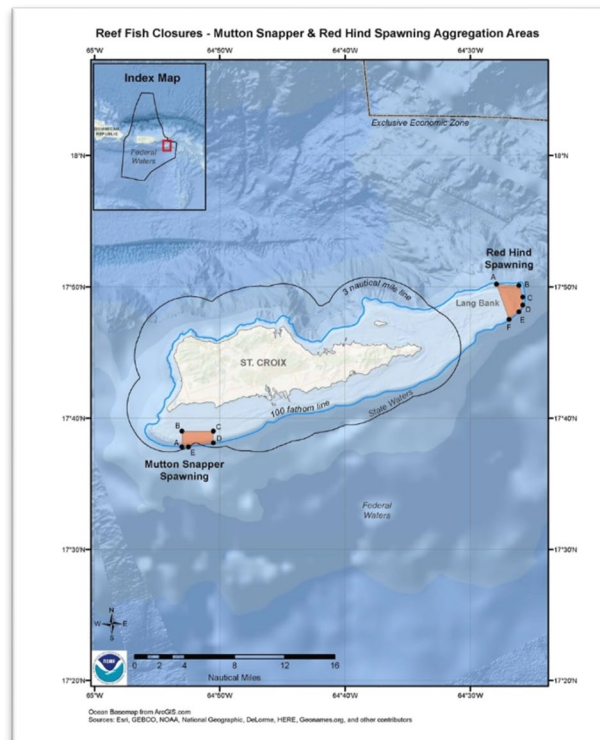
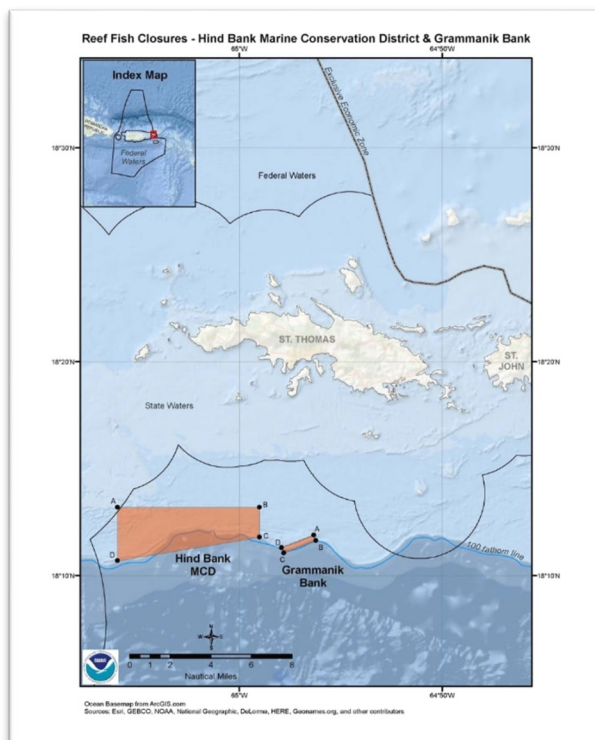


Areas Closed to Fishing

- Federal Waters in the **Hind Bank** south of St. Thomas are closed to fishing for any species, year round.
- If an area is closed to fishing, then all fishing, *including fishing with traps and pots*, is prohibited in that area.



U.S. Caribbean Time and Area Closures





Trap Definitions

- 50 CFR 622.2 (*proposed*): Fish trap means--(1) In the Caribbean EEZ, a trap and its component parts, including the lines and buoys, regardless of the construction material, used for or capable of taking finfish. This does not include a spiny lobster trap as defined in subparts S, T, and U of this part.
- *Proposed*: Spiny lobster trap means a trap and its component parts, including the lines and buoys, used for or capable of taking spiny lobster and meeting the spiny lobster trap construction specifications of this subpart.
 - *Proposed regulations*: 50 CFR 622.431 (Puerto Rico); 50 CFR 622.471 (St. Croix). 50 CFR 622.506 (St. Thomas and St. John)



Trap Construction and Marking Requirements

50 CFR § 622.435 Trap construction specifications and tending restrictions.
(Proposed Puerto Rico regulation; same as current regulations for reef fish; same as other areas)

(a) Reef fish--(1) Construction specifications—

(i) Minimum mesh size.

A **bare-wire fish trap** used or possessed in the EEZ around Puerto Rico that has **hexagonal mesh** openings must have a **minimum mesh size of 1.5 inches (3.8 cm)** in the smallest dimension measured between centers of opposite strands.

A **bare-wire fish trap** used or possessed in the EEZ around Puerto Rico that has **other than hexagonal mesh** openings or a **fish trap of other than bare wire, such as coated wire or plastic**, used or possessed in the EEZ around Puerto Rico, must have a **minimum mesh size of 2 inches (5.1 cm)** in the smallest dimension measured between centers of opposite strands.

Trap Requirements



Trap Construction and Marking Requirements

50 CFR § 622.435 (proposed), continued:

(a)(1)(ii) *Escape mechanisms.* A fish trap used or possessed in the EEZ around Puerto Rico must have **a panel located on one side of the trap**, excluding the top, bottom, and side containing the trap entrance. The opening covered by the panel must measure **not less than 8 by 8 inches (20.3 by 20.3 cm)**. The mesh size of the panel may not be smaller than the mesh size of the trap. The **panel** must be **attached** to the trap with **untreated jute twine with a diameter not exceeding 1/8-inch (3.2 mm)**.

An **access door** may serve as the panel, provided it is on an appropriate side, **it is hinged only at its bottom**, its only other fastening is untreated **jute twine with a diameter not exceeding 1/8-inch (3.2 mm)**, and such fastening is at the top of the door so that the door will fall open when such twine degrades. Jute twine used to secure a panel may not be wrapped or overlapped.

Trap Requirements



Trap Construction and Marking Requirements

§ 622.435 (proposed), continued:

(a)(2) *Tending restrictions.* A fish trap in the EEZ around Puerto Rico may be pulled or tended only by a person (other than an authorized officer) aboard the fish trap owner's vessel, or aboard another vessel if such vessel has on board written consent of the trap owner, or if the trap owner is aboard and has documentation verifying his identification number and color code. An owner's written consent must specify the time period such consent is effective and the trap owner's gear identification number and color code.



Trap Construction and Marking Requirements

§ 622.435 (proposed), continued:

(c) *Spiny lobster*--(1) *Construction specifications*—

(i) *Escape mechanisms*. A spiny lobster trap used or possessed in the EEZ around Puerto Rico must contain on any vertical side or on the top a panel no smaller in diameter than the throat or entrance of the trap. The panel must be made of or attached to the trap by one of the following degradable materials:

(A) Untreated fiber of biological origin with a diameter not exceeding $\frac{1}{8}$ -inch (3.2 mm). This includes, but is not limited to tyre palm, hemp, jute, cotton, wool, or silk.

(B) Ungalvanized or uncoated iron wire with a diameter not exceeding $\frac{1}{16}$ -inch (1.6 mm), that is, 16-gauge wire.

Trap Requirements



Trap Construction and Marking Requirements

§ 622.435 (proposed), continued:

(c)(2) *Tending restrictions.* A spiny lobster trap in the EEZ around Puerto Rico may be pulled or tended only by a person (other than an authorized officer) aboard the trap owner's vessel, or aboard another vessel if such vessel has on board written consent of the trap owner, or if the trap owner is aboard and has documentation verifying his identification number and color code. An owner's written consent must specify the time period such consent is effective and the trap owner's gear identification number and color code.

Trap Requirements



Trap Construction and Marking Requirements

§ 622.434 Gear identification (proposed).

(a) Reef fish--(1) Fish traps and associated buoys.

All fish traps used or possessed in the EEZ around Puerto Rico must display the official number specified for the vessel by Puerto Rico or the U.S. Virgin Islands.

A fish trap that is fished individually, rather than tied together in a trap line, must have at least one buoy attached that floats on the surface.

Fish traps that are tied together in a trap line must have at least one buoy that floats at the surface attached at each end of the trap line.

All buoys must display the official number and color code assigned to the vessel by Puerto Rico or the U.S. Virgin Islands, whichever is applicable.



Trap Construction and Marking Requirements

§ 622.434 (proposed), continued:

(c) *Spiny lobster*--(1) *Spiny lobster traps and associated buoys.*

All spiny lobster traps used or possessed in the EEZ around Puerto Rico must display the official number specified for the vessel by Puerto Rico or the U.S. Virgin Islands.

A spiny lobster trap that is fished individually, rather than tied together in a trap line, must have at least one buoy attached that floats on the surface.

Spiny lobster traps that are tied together in a trap line must have at least one buoy that floats at the surface attached at each end of the trap line.

All buoys must display the official number and color code assigned to the vessel by Puerto Rico or the U.S. Virgin Islands, whichever is applicable.

Trap Requirements



Control Dates

- Persons entering the fishery after the control date are not assured future access.
- Control dates do not commit the Council or NMFS to take any particular action to limit entry into particular fisheries.
- February 11, 2011 control date, applies to:
 - Commercial trap sector of the reef fish fishery in federal waters in the US Caribbean, 78 FR 20496 (April 5, 2013)
 - Commercial trap sector of the spiny lobster fishery in federal waters off Puerto Rico, 78 FR 20496 (April 5, 2013)
- September 1, 2017 control date, applies to:
 - Spiny lobster trap fishery in federal waters off St. Thomas and St. John, and St. Croix, 84 FR 55900 (Oct. 18, 2019) (supersedes date in April 2013 FR notice above for USVI)



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