

**Framework Action 4 under the St. Croix and
St. Thomas and St. John Fishery Management Plans:
Modification of Spiny Lobster Management Reference
Points Based on SEDAR 91 Stock Assessments**



Including an Environmental Assessment, Regulatory Flexibility Act
Analysis and Regulatory Impact Review



July 2026



Environmental Assessment Cover Sheet

Name of Action

Environmental Assessment for Framework Action 4 under the St. Croix and St. Thomas and St. John Fishery Management Plans: Modification of Spiny Lobster Management Reference Points Based on SEDAR 91 Stock Assessments

Responsible Agencies and Contact Persons

Caribbean Fishery Management Council (Council)
270 Muñoz Rivera Ave., Suite 401
San Juan, Puerto Rico 00918-1903
(787) 766-5926
Graciela García-Moliner (graciela_cfmcc@yahoo.com)
[Caribbean Council website](#)

National Marine Fisheries Service (Lead Agency)
Southeast Regional Office (SERO)
263 13th Avenue South
St. Petersburg, FL 33701
(727) 824-5305
Sarah Stephenson (sarah.stephenson@noaa.gov)
[SERO Website](#)

Type of Action

☐ Administrative
☐ Draft

☐ Legislative
☒ Final

This Environmental Assessment began on April 21, 2026. The Unique ID Number is EAXX-006-48-1SE-1784008944.

Abbreviations and Acronyms Used in this Document

ABC	acceptable biological catch
ACL	annual catch limit
CEA	cumulative effects analysis
CFMC	(Council); Caribbean Fishery Management Council
DNER	Department of Natural and Environmental Resources (Puerto Rico)
DPNR	Department of Planning and Natural Resources (United States Virgin Islands)
DPS	distinct population segment
EA	environmental assessment
EEZ	exclusive economic zone
FMP	fishery management plan
MFMT	maximum fishing mortality threshold
MSA	(Magnuson-Stevens Act); Magnuson-Stevens Fishery Conservation and Management Act
MSST	minimum stock size threshold
MSY	maximum sustainable yield
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
OFL	overfishing limit
SEDAR	Southeast Data, Assessment, and Review (stock assessment)
SEFSC	Southeast Fisheries Science Center
SSC	Scientific and Statistical Committee
USVI	United States Virgin Islands

Table of Contents

Environmental Assessment Cover Sheet	2
Abbreviations and Acronyms Used in this Document.....	3
Table of Contents.....	4
List of Tables	7
List of Figures	8
Chapter 1. Introduction	5
1.1 What Action is Proposed?	5
1.2 Why is the Council Considering Action?.....	5
1.3 Statement of Purpose and Need	7
1.4 Where Will the Action Have an Effect?.....	7
1.5 History of Federal Fisheries Management	6
Chapter 2. Proposed Actions and Alternatives	8
2.1 Action 1: Update the St. Croix Spiny Lobster OFL, ABC, and ACL	8
2.2 Action 2: Update the St. Thomas and St. John Spiny Lobster OFL, ABC, and ACL ..	10
Chapter 3. Affected Environment.....	13
3.1 Description of the Physical Environment.....	13
3.1.1 St. Croix	13
3.1.2 St. Thomas and St. John.....	13
3.1.3 Essential Fish Habitat (EFH)	14
3.2 Description of the Biological and Ecological Environments	14
3.2.1 Spiny Lobster Life History	14
3.2.2 Status of the Spiny Lobster Stocks	14
3.2.3 Bycatch	15
3.2.4 Protected Species	15
3.2.5 Changing Environmental Conditions.....	17
3.3 Description of the Economic Environment.....	17
3.3.1 St. Croix Fishery	17
3.3.2 St. Thomas and St. John Fishery.....	22
3.4 Description of the Social Environment	28

3.4.1	Historical and Cultural Context	28
3.4.2	Recent Environmental and Socioeconomic Perturbations	29
3.4.3	Fishery Overview and Community Dependence	30
3.4.4	St. Croix	31
3.4.5	St. Thomas and St. John.....	32
3.4.6	Summary and Management Considerations	34
3.5	Description of the Administrative Environment	34
3.5.1	Federal Fishery Management.....	34
3.5.2	U.S. Virgin Islands Fisheries Management	35
Chapter 4.	Environmental Effects.....	36
4.1	Effects on the Physical Environment	36
4.2	Effects on the Biological/Ecological Environment.....	37
4.3	Effects on the Economic Environment.....	39
	Action 1: Update St. Croix Spiny Lobster Reference Points.....	40
	Action 2: Update St. Thomas and St. John Spiny Lobster Reference Points	42
4.4	Effects on the Social Environment.....	45
4.5	Effects on the Administrative Environment.....	47
4.6	Cumulative Effects Analysis (CEA)	47
Chapter 5.	Regulatory Impact Review	51
5.1.	Introduction	51
5.2.	Problems and Objectives.....	51
5.3.	Description of the Fishery	51
5.4.	Impacts of Management Measures.....	51
5.4.1	Action 1: Update St. Croix Spiny Lobster Reference Points.....	51
5.4.2	Action 2: Update St. Thomas and St. John Spiny Lobster Reference Points	52
5.5.	Public Costs of Regulations	53
5.6.	Determination of Significant Regulatory Action	53
Chapter 6.	Regulatory Flexibility Act Analysis.....	55
6.1.	Introduction	55
6.2.	Statement of the Need for, Objectives of, and Legal Basis for the Proposed Action	55

6.3. Description and Estimate of the Number of Small Entities to Which the Proposed Action Would Apply	56
6.4. Description of the Projected Reporting, Record-Keeping, and Other Compliance Requirements	57
6.5. Identification of All Relevant Federal Rules Which May Duplicate, Overlap, or Conflict with the Proposed Action.....	57
6.6. Significance of Economic Impacts on a Substantial Number of Small Entities	58
6.7. Description of Significant Alternatives to the Proposed Action and Discussion of How the Alternatives Attempt to Minimize Economic Impacts on Small Entities	59
Chapter 7. List of Preparers	60
Chapter 8. List of Agencies, Organizations, and Persons Consulted.....	61
Chapter 9. References	62
Appendix A. Status Determination Criteria and Definitions	64
Appendix B. Endangered Species Act Species in the U.S. Caribbean	65
Appendix C. Other Applicable Laws.....	66

List of Tables

Table 1.1. Management reference points from SEDAR 91 Caribbean Spiny Lobster stock assessments for each island/island group.....	6
Table 1.2. Overfishing limit and acceptable biological catch values for spiny lobster for each island/island group. Values are in pounds whole weight.....	6
Table 2.1. Overfishing limit, acceptable biological catch, and annual catch limit for spiny lobster in St. Croix under the Action 1 alternatives. All values are in pounds whole weight.	8
Table 2.2. Overfishing limit, acceptable biological catch, and annual catch limit for spiny lobster in St. Thomas/St. John under the Action 2 alternatives. All values are in pounds whole weight.....	10
Table 3.1. Annual spiny lobster landings, revenues, and prices in St. Croix, 2012–2024.....	18
Table 3.2. Trip activity taken by lobster harvesters in St. Croix, 2020–2024.....	18
Table 3.3. Annual fishing activity, landings, and revenue metrics for lobster fishers in St. Croix, 2020–2024.....	19
Table 3.4. Summary of trip-level landings and revenues for the St. Croix lobster fleet, 2020–2024.....	19
Table 3.5. Composition of jointly caught landings and revenues for spiny lobster trips in St. Croix, 2020–2024.	20
Table 3.6. Summary of non-lobster fishing activity by lobster fishers in St. Croix, 2020–2024.	21
Table 3.7. Average trip revenues from lobster and jointly-caught species by fishing area, St. Croix (2020–2024).	21
Table 3.8. Fisher participation and lobster revenue dependence in St. Croix, 2020–2024.....	22
Table 3.9. Annual spiny lobster landings, revenues, and prices in St. Thomas and St. John 2012–2024.....	23
Table 3.10. Trip activity taken by lobster harvesters in St. Thomas and St. John, 2020–2024. .	24
Table 3.11. Annual fishing activity, landings, and revenue metrics for lobster fishers in St. Thomas and St. John, 2020–2024.....	24
Table 3.12. Summary of trip-level landings and revenues for the St. Thomas and St. John lobster fleet, 2020–2024.....	25
Table 3.13. Composition of jointly caught landings and revenues for spiny lobster trips in St. Thomas and St. John, 2020–2024.....	26

Table 3.14. Summary of non-lobster fishing activity by lobster fishers in St. Thomas and St. John, 2020–2024.....	26
Table 3.15. Average trip revenues from lobster and jointly-caught species by fishing area in St. Thomas and St. John, 2020–2024.....	27
Table 3.16. Fisher participation and lobster revenue dependence in St. Thomas and St. John, 2020–2024.....	28
Table 4.1. Summary of benefits to the physical environment.....	37
Table 4.2. Summary of benefits to the biological environment.	39
Table 4.3. Comparison of annual catch limits and potential revenue for St. Croix spiny lobster.	40
Table 4.4. Comparison of annual catch limits and potential revenue for St. Thomas and St. John spiny lobster.	43

List of Figures

Figure 1.1. U.S. Caribbean exclusive economic zone with boundaries between the Puerto Rico, St. Croix, and St. Thomas/St. John management areas (dashed line) and the federal and state (i.e., territorial) jurisdictions (blue lines).	8
---	---

Chapter 1. Introduction

1.1 What Action is Proposed?

Framework Action 4 updates the status determination criteria (SDC) and other management reference points for spiny lobster (*Panulirus argus*) under the St. Croix Fishery Management Plan (FMP) and the St. Thomas and St. John FMP. These updates are consistent with the Southeast Data, Assessment, and Review 91 (SEDAR 91) spiny lobster stock assessments and recommendations from the Caribbean Fishery Management Council's (Council) Scientific and Statistical Committee (SSC).

The SDC are metrics used to determine if a stock or stock complex is experiencing overfishing or is overfished. Under Framework 4, the SDC to be updated include the maximum fishing mortality threshold (MFMT), the minimum stock size threshold (MSST), and the overfishing limit (OFL). Other spiny lobster management reference points to be updated under Framework Action 4 include the maximum sustainable yield (MSY), or MSY proxy, acceptable biological catch (ABC), optimum yield (OY), and annual catch limit (ACL). See Appendix A for a description of each reference point.

Framework Action 4 is available under the Issuu link on the Council's [website](#) (189th CFMC Hybrid Public Meeting Documents Stack) and NOAA Fisheries' Southeast Regional Office's [website](#).

1.2 Why is the Council Considering Action?

The Council is considering updating management reference points (Tables 1.1 and 1.2) to incorporate information from the most recent stock assessments for spiny lobster, which are considered best scientific information available for the St. Croix and St. Thomas/St. John spiny lobster stocks.

The SEDAR 91 spiny lobster stock assessments were completed in 2025, using data inputs through 2023. The Council's SSC reviewed the SEDAR 91 assessment reports at its September 2025 meeting, and determined that the stock assessments are useful for providing management advice and developing fishing level recommendations. The SSC recommended ABCs for spiny lobster for St. Croix and St. Thomas/St. John that were derived from the projected OFLs using a sigma value (i.e., an estimate of scientific uncertainty) of 0.5, and the Council's risk of overfishing value (P*) of 0.45. At the December 2025 Council meeting, the Council accepted the SSC's spiny lobster ABC recommendations for St. Croix and St. Thomas/St. John and requested staff begin development of a framework action to update the ACLs for spiny lobster under each FMP.

Table 1.1. Management reference points from SEDAR 91 Caribbean Spiny Lobster stock assessments for each island/island group.

Management reference point	St. Croix	St. Thomas/St. John
Maximum sustainable yield proxy (pounds whole weight)	165,852	130,230
Maximum fishing mortality threshold ($F_{SPR30\%}$)	0.197	0.243
Minimum stock size threshold in thousands of eggs ($0.75 \times \text{Spawning Stock Biomass [SSB]}_{MFMT}$)	3.045 E+07	2.082 E+07
$SSB_{2023} / SSB_{SPR 30\%}$	2.83	1.55
$F_{Current} / F_{SPR 30\%}$	0.12	0.64

Table 1.2. Overfishing limit and acceptable biological catch values for spiny lobster for each island/island group. Values are in pounds whole weight.

Constant-catch limits	St. Croix*	St. Thomas/St. John
OFL	210,977	150,768
ABC	186,063	132,964

* Note that the OFL and ABC values are larger than the MSY proxy included in Table 1.1. This is because the SSB estimate for 2023 is considerably larger than the SSB associated with the MSY proxy (B_{MSY}). When biomass is greater than B_{MSY} , a larger temporary catch is possible without causing overfishing.

Following the SSC review of the SEDAR 91 assessments, the St. Croix and St. Thomas/St. John spiny lobster stocks remain classified as Tier 3 stocks under the Council’s ABC control rule: data limited but with an accepted assessment. Framework Amendment 1 to the St. Croix and St. Thomas/St. John FMPs describes the criteria for determining when a Tier 3 stock is overfished or undergoing overfishing. If the ABC control rule tier remains the same following an accepted stock assessment, the National Marine Fisheries Service (NMFS) prepares a stock status determination memorandum, if needed, to update the overfished and overfishing status for the stock consistent with the assessment without waiting for an amendment and implementing regulations.¹ NMFS will determine that a stock is undergoing overfishing if (1) the fishing mortality (F) exceeds the MFMT in years with a stock assessment, or (2) if the most recent year

¹ Because status determinations must be based on the SDC in the FMP per the Magnuson-Stevens Fishery Conservation and Management Act, NMFS does not use these new criteria for official stock status determinations until they are adopted in an FMP. Adopting new SDC can result in delays in updating stock status determinations because amending an FMP can be a lengthy process. Several Councils have adopted flexible overfishing and overfished SDC in their FMPs that enable more timely stock status determinations in such situations. [Flexible Status Determination Criteria Examples and their Application White Paper](#).

of available landings is greater than the current OFL in non-assessment years. In non-assessment years the current OFL may or may not be the same OFL value that was in effect during the year the landings were reported.

1.3 Statement of Purpose and Need

The purpose of Framework Action 4 is to update status determination criteria and management reference points for spiny lobster under the St. Croix FMP and the St. Thomas/St. John FMP to ensure management is consistent with the most recent spiny lobster stock assessments and recommendations from the Council's SSC.

The need for Framework Action 4 is to ensure that management measures for spiny lobster are based on the best scientific information available to prevent overfishing and achieve optimum yield, in accordance with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act.

1.4 Where Will the Action Have an Effect?

The Council is responsible for managing fishery resources, including spiny lobster, in federal waters in the U.S. Caribbean region (Figure 1.1). Federal waters around St. Croix and around St. Thomas/St. John range 3-200 nautical miles (6-370 kilometers) from the shore of the respective U.S. Virgin Islands (USVI) island/island group to the outer boundary of the U.S. Caribbean exclusive economic zone.

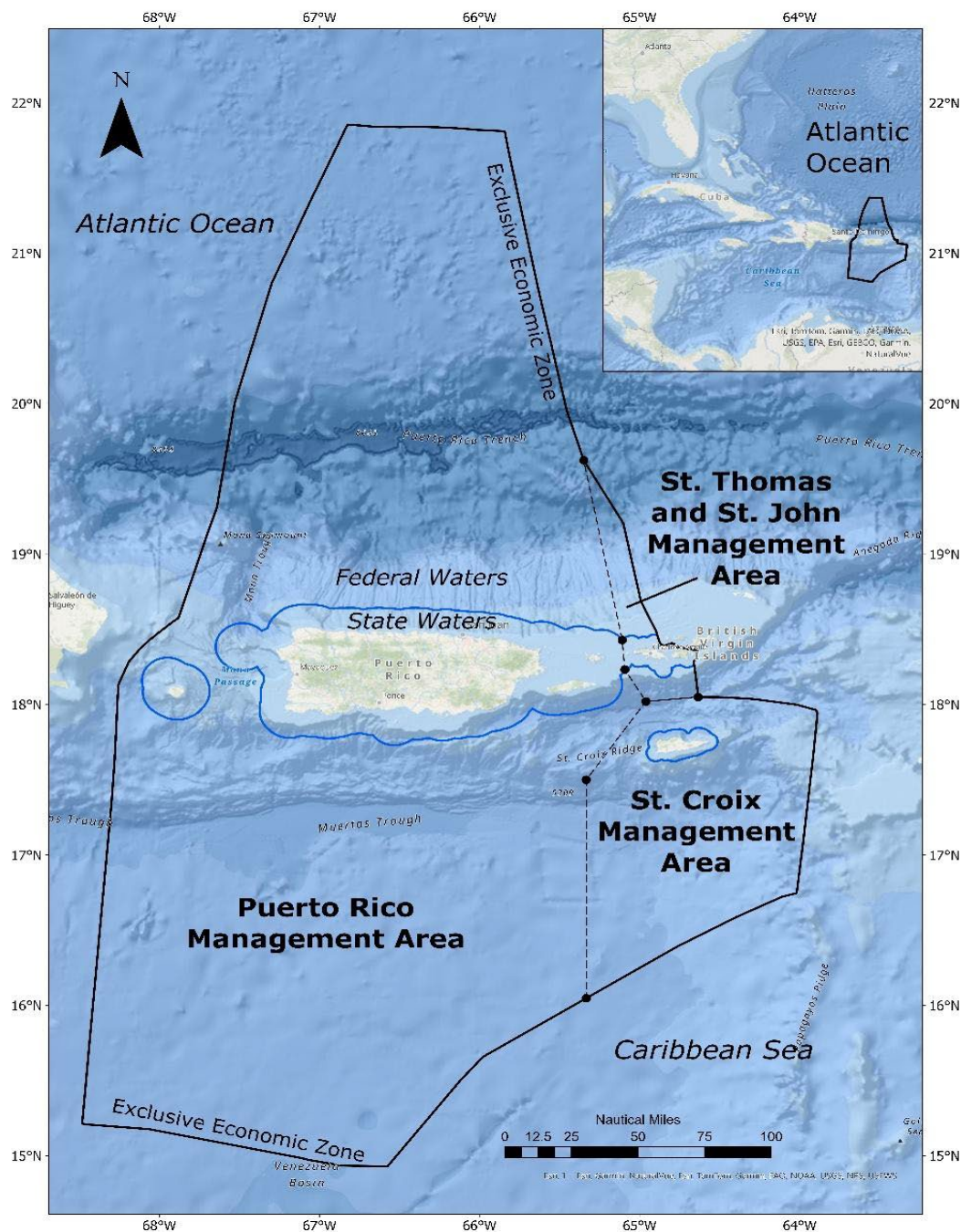


Figure 1.1. U.S. Caribbean exclusive economic zone with boundaries between the Puerto Rico, St. Croix, and St. Thomas/St. John management areas (dashed line) and the federal and state (i.e., territorial) jurisdictions (blue lines).

1.5 History of Federal Fisheries Management

The St. Croix and St. Thomas/St. John FMPs updated several management elements, including: the list of federally-managed species (sorting them into stocks or stock complexes); management reference points for managed stocks/stock complexes; accountability measures (AM); descriptions of essential fish habitat for managed species; and a list of available framework procedures. The FMPs retained some management measures established under the previous U.S. Caribbean-wide FMPs (Reef Fish FMP of Puerto Rico and the USVI, Spiny Lobster FMP of Puerto Rico and the USVI, Queen Conch FMP of Puerto Rico and the USVI, and Corals and Reef Associated Plants and Invertebrates FMP of Puerto Rico and the USVI) that were applicable to the respective island management area (e.g., seasonal and area closures, minimum size limits, recreational bag limits).

St. Croix FMP (CFMC 2019a) and St. Thomas/St. John FMP (CFMC 2019b)

The FMPs were effective on October 13, 2022 ([87 FR 56204](#)). For spiny lobster, each FMP:

- Prohibited harvest of egg-bearing females and required fishermen to land spiny lobster intact;
- Prohibited harvest with spear and hook gear and with a gillnet or trammel net;
- Included descriptions for spiny lobster trap identification, construction specifications, and tending restrictions;
- Specified a minimum size limit of 3.5 inches (8.9 centimeters) carapace length;
- Specified a recreational bag limit of 3 spiny lobsters per person/day, not to exceed 10 spiny lobsters per vessel/day, whichever is less;
- Included import restrictions;
- Included a four-tiered ABC Control Rule used to define management reference points;
- Specified sustainable yield level (an OFL proxy), ABC, and ACL for spiny lobster;
- Described the AMs and closure provision for spiny lobster; and
- Described the essential fish habitat for spiny lobster.

Framework Amendment 1 (CFMC 2022)

Framework Amendment 1 to the St. Croix and St. Thomas/St. John FMPs, effective on April 15, 2023 ([88 FR 16194](#)), updated management reference points for spiny lobster based on the 2019 SEDAR 57 spiny lobster stock assessments ([SEDAR 57 Stock Assessment Report](#)) and application of the Council's ABC Control Rule. Framework Amendment 1 specified the OFLs and ABCs for each FMP, and set the spiny lobster ACLs equal to 0.95 of the ABCs for years 2021-2023. For years 2024 and later, Framework Amendment 1 specified more conservative OFL, ABC and ACL values. Framework Amendment 1 also revised the process for triggering an AM to compare the average of the most recent three years of spiny lobster landings to the average ACLs in place during those years.

Framework Amendment 2 (CFMC 2023)

Framework Amendment 2 to the St. Croix and St. Thomas and St. John FMPs, effective on May 30, 2024 ([89 FR 34168](#)), updated the OFL, ABC, and ACL for spiny lobster under each FMP for years 2024 and later based on best scientific information available from the 2022 Update Assessment to the 2019 SEDAR 57 spiny lobster stock assessments.

Chapter 2. Proposed Actions and Alternatives

Framework procedures included in the St. Croix Fishery Management Plan (FMP) and the St. Thomas/St. John FMP allow the Caribbean Fishery Management Council (Council) to modify management measures through a framework action when a new stock assessment indicates changes should be made to management reference points and status determination criteria (SDC).

Framework Action 4 adopts management reference points that are consistent with the Southeast Data, Assessment, and Review (SEDAR) 91 spiny lobster stock assessments (see Table 1.1) and updates the overfishing limit (OFL), acceptable biological catch (ABC), and annual catch limit (ACL) for spiny lobster in St. Croix (Action 1) and St. Thomas/St. John (Action 2).

2.1 Action 1: Update the St. Croix Spiny Lobster OFL, ABC, and ACL

Alternative 1. No Action. Retain the current St. Croix spiny lobster OFL, ABC, and ACL values (Table 2.1). The ACL is set equal to 95% of the recommended ABC and equals 137,254 pounds (lbs).

Alternative 2. Update the St. Croix spiny lobster OFL and ABC values and set the ACL equal to the recommended ABC (Table 2.1). The ACL would equal 186,063 lbs.

Alternative 3 (Preferred). Update the St. Croix spiny lobster OFL and ABC values and set the ACL equal to 95% of the recommended ABC (Table 2.1). The ACL would equal 176,760 lbs.

Alternative 4. Update the St. Croix spiny lobster OFL and ABC values and set the ACL equal to 90% of the recommended ABC (Table 2.1). The ACL would equal 167,457 lbs.

Table 2.1. Overfishing limit, acceptable biological catch, and annual catch limit for spiny lobster in St. Croix under the Action 1 alternatives. All values are in pounds whole weight.

Alternative	OFL	ABC	ACL
Alt. 1 (no action)	163,823	144,478	137,254
Alt. 2 (ACL=ABC)	210,977	186,063	186,063
Preferred Alt. 3 (ACL=ABC x 0.95)	210,977	186,063	176,760
Alt. 4 (ACL=ABC x 0.90)	210,977	186,063	167,457

Discussion

Alternative 1 would retain the spiny lobster OFL, ABC, and ACL for St. Croix set under Framework Amendment 2 (CFMC 2023), which was based on the 2022 Update Assessment to SEDAR 57. **Alternative 1** would not be consistent with the most recent stock assessment for spiny lobster. The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) National Standard 1 states that “conservation and management measures shall be based upon the best scientific information available” (16 U.S.C. 1851(a)(2)). **Alternative 1** would be inconsistent with the requirements of the Magnuson-Stevens Act because it is not based on the best scientific information available.

Alternative 2, Preferred Alternative 3, and Alternative 4 would update the OFL and ABC for spiny lobster for St. Croix consistent with the SEDAR 91 stock assessment, and would set the ACL at or below the ABC recommended by the Council’s Scientific and Statistical Committee (SSC) using varying degrees of management uncertainty.² Management uncertainty refers to uncertainty in the ability of managers to constrain catch to the ACL, and the uncertainty in quantifying the true catch amounts. **Alternatives 2-4** would be based upon the best scientific information available and consistent with the requirements of the Magnuson-Stevens Act.

Alternative 2 would set the ACL equal to the ABC, and would reflect no management uncertainty. No management uncertainty means that managers believe the reported landings accurately represent the actual catch for the stock, with little to no variation expected between reported landings and actual catch each year. When there is some uncertainty in the reported landings, managers may set the ACL lower than the ABC to buffer the impacts of any estimation errors or inaccuracies. The greater the buffer between the ACL and ABC, the less risk there is of exceeding catch targets and overfishing the stock. **Preferred Alternative 3** would set the ACL at 95% of the ABC and **Alternative 4** would set the ACL at 90% of the ABC, which reflects a higher level of management uncertainty than **Preferred Alternative 3**.

The ACLs under **Alternatives 2-4** are greater than the ACL under **Alternative 1** (137,254 lbs). Of the three proposed alternatives, **Alternative 2** would allow for the largest annual catch of spiny lobster (186,063 lbs), followed by **Preferred Alternative 3** (176,760 lbs), then **Alternative 4** (167,457 lbs). **Alternative 4** would have the largest buffer between the ACL and the ABC, lowering the risk of overfishing, but potentially triggering an accountability measure³ more frequently if catch exceeds the ACL. Annual commercial landings of spiny lobster in St. Croix have been less than 100,000 lbs since ACLs were implemented in 2012, which is below both the current and proposed ACLs (Table 2.1).

² Sources of management uncertainty include late reporting, misreporting, or underreporting of catch amounts, as well as lack of sufficient in-season management, including in-season closure authority.

³ Accountability measures are management controls put in place to prevent catch limits from being exceeded, and to correct or mitigate overages if they occur

2.2 Action 2: Update the St. Thomas and St. John Spiny Lobster OFL, ABC, and ACL

Alternative 1. No Action. Retain the current St. Thomas/St. John spiny lobster OFL, ABC, and ACL values (Table 2.2). The ACL is set equal to 95% of the recommended ABC and equals 133,207 lbs.

Alternative 2 (Preferred). Update the St. Thomas/St. John spiny lobster OFL and ABC values and set the ACL equal to the recommended ABC (Table 2.2). The ACL would equal 132,964 lbs.

Alternative 3. Update the St. Thomas/St. John spiny lobster OFL and ABC values and set the ACL equal to 95% of the recommended ABC (Table 2.2). The ACL would equal 126,316 lbs.

Alternative 4. Update the St. Thomas/St. John spiny lobster OFL and ABC values and set the ACL equal to 90% of the recommended ABC (Table 2.1). The ACL would equal 119,668 lbs.

Table 2.2. Overfishing limit, acceptable biological catch, and annual catch limit for spiny lobster in St. Thomas/St. John under the Action 2 alternatives. All values are in pounds whole weight.

Alternative	OFL	ABC	ACL
Alt. 1 (no action)	158,993	140,218	133,207
Preferred Alt. 2 (ACL=ABC)	150,768	132,964	132,964
Alt. 3 (ACL=ABC x 0.95)	150,768	132,964	126,316
Alt. 4 (ACL=ABC x 0.90)	150,768	132,964	119,668

Discussion

Alternative 1 would retain the spiny lobster OFL, ABC, and ACL for St. Thomas/St. John set under Framework Amendment 2, which was based on the 2022 Update Assessment to SEDAR 57. **Alternative 1** would not be consistent with the most recent stock assessment for spiny lobster. The Magnuson-Stevens Act National Standard 2 states that “conservation and management measures shall be based upon the best scientific information available” (16 U.S.C. 1851(a)(2)). Additionally, the ACL under **Alternative 1** is greater than the ABC recommended by the SSC that is based on the SEDAR 91 assessment. The Magnuson-Stevens Act states that “each Council shall . . . develop annual catch limits for each of its managed fisheries that may not exceed the fishing level recommendations of its scientific and statistical committee” (16 U.S.C. 1852(h)(6)). **Alternative 1** would not be consistent with the Magnuson-Stevens Act

mandate to base conservation and management measures on the best scientific information available and would retain an ACL that is higher than the most recent ABC recommended by the Council's SSC.

Preferred Alternative 2, Alternative 3, and Alternative 4 would update the OFL and ABC for spiny lobster for St. Thomas/St. John consistent with the SEDAR 91 stock assessment, and would set the ACL at or below the ABC recommended by the SSC using varying degrees of management uncertainty.⁴ Management uncertainty refers to uncertainty in the ability of managers to constrain catch to the ACL, and the uncertainty in quantifying the true catch amounts. **Alternatives 2-4** would be based upon the best scientific information available and consistent with the requirements of the Magnuson-Stevens Act.

Preferred Alternative 2 would set the ACL equal to the ABC, and would reflect no management uncertainty. No management uncertainty means that managers believe the reported landings accurately represent the actual catch for the stock, with little to no variation expected between reported landings and actual catch each year. When there is some uncertainty in the reported landings, managers may set the ACL lower than the ABC to buffer the impacts of any estimation errors or inaccuracies. The greater the buffer between the ACL and ABC, the less risk there is of exceeding catch targets and overfishing the stock. **Alternative 3** would set the ACL at 95% of the ABC and **Alternative 4** would set the ACL at 90% of the ABC, which reflects a higher level of management uncertainty than **Alternative 3**.

The ACLs under **Alternatives 2-4** are less than the ACL under **Alternative 1** (133,207 lbs). Of the three proposed alternatives, **Preferred Alternative 2** would allow for the largest annual catch of spiny lobster (132,964 lbs), followed by **Alternative 3** (126,316 lbs), then **Alternative 4** (119,668 lbs). **Alternative 4** would have the largest buffer between the ACL and the ABC, lowering the risk of overfishing, but potentially triggering an accountability measure⁵ more frequently if catch exceeds the ACL. Annual commercial landings of spiny lobster in St. Thomas/St. John have averaged around 100,000 lbs since ACLs were implemented in 2012, which is below both the current and proposed ACLs (Table 2.2).

At the 189th regular meeting, the Council discussed the proposed alternatives and potential impacts to fishermen through the reduced ACLs. The Council selected **Alternative 2** as preferred because it has the least socio-economic impacts. Although the St. Thomas/St. John spiny lobster landings in 2023 and 2024 were below the current and proposed ACLs, those landings were higher than in the previous years (see Table 3.9). Therefore, the Council

⁴ Sources of management uncertainty include late reporting, misreporting, or underreporting of catch amounts, as well as lack of sufficient in-season management, including in-season closure authority.

⁵ Accountability measures are management controls put in place to prevent catch limits from being exceeded, and to correct or mitigate overages if they occur

requested the Southeast Fisheries Science Center provide an interim assessment by December 2027, to update OFL projections and inform catch levels using updated available information (e.g., a fishery-dependent abundance index). Because the selected preferred alternative reflects no management uncertainty in the buffer between the ACL and the ABC, the Council made this request to monitor the St. Thomas/St. John spiny lobster commercial landings and revisit the ABC if landings exceed the 2023-2024 levels or the new ACL.

Chapter 3. Affected Environment

This section describes the environment and resources in federal waters around St. Croix and St. Thomas/St. John that would be affected by the proposed actions. Information on the physical, biological/ecological, economic, social, and administrative environments of the U.S. Virgin Islands (USVI) are described in detail in the St. Croix Fishery Management Plan (FMP) (CFMC 2019a) and the St. Thomas/St. John FMP (CFMC 2019b), in Framework Amendment 1 (CFMC 2022) and Framework Amendment 2 (CFMC 2023), which are incorporated herein by reference and summarized below.

3.1 Description of the Physical Environment

The U.S. Caribbean exclusive economic zone (EEZ) covers approximately 75,687 mi² (196,029 km²), which, for management purposes, is divided into the Puerto Rico, St. Croix, and St. Thomas/St. John management areas (see Figure 1.1).

3.1.1 St. Croix

Federal waters around St. Croix extend 3 - 200 nautical miles (6 – 370 km) from the shoreline, covering approximately 9,216 mi² (23,870 km²). St. Croix is located about 46 mi (74 km) south of St. Thomas/St. John and lies on a different geological platform than Puerto Rico, St. Thomas, and St. John.

For St. Croix, the following areas are managed with seasonal closures that are applicable to spiny lobster:

- Red Hind Spawning Aggregation Area (Lang Bank) - closed December 1 through the last day of February, each year, to all fishing, including spiny lobster; and
- Mutton Snapper Spawning Aggregation Area - closed March 1 through June 30, each year, to all fishing, including spiny lobster.

3.1.2 St. Thomas and St. John

Federal waters around St. Thomas/St. John extend 3 - 200 nautical miles (6 – 370 km) from the shoreline, covering approximately 1,103 mi² (2,856 km²).

For St. Thomas/St. John, the following areas are managed with year-round or seasonal closures that are applicable to spiny lobster:

- Hind Bank Marine Conservation District - closed year-round to all fishing, including spiny lobster; and
- Grammanik Bank - closed February 1 through April 30, each year, to all fishing, including spiny lobster.

3.1.3 Essential Fish Habitat (EFH)

EFH is defined in the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) as “those waters and substrates necessary to fish for spawning, breeding, feeding, or growth to maturity” (16 U.S.C. 1802(10)).

In St. Croix and St. Thomas/St. John, EFH for spiny lobster consists of all waters from mean high water to the outer boundary of the U.S. Caribbean EEZ (i.e., habitats used by phyllosome larvae) and seagrass, benthic algae, mangrove, coral, and live/hard bottom substrates from mean high water to 100 fathoms depth (habitats used by other life stages).

3.2 Description of the Biological and Ecological Environments

The waters off St. Croix, St. Thomas, and St. John, U.S. Virgin Islands are home to a diverse population of fish and invertebrates, managed under an island-based approach in the U.S. Caribbean EEZ. Both the St. Croix FMP and the St. Thomas/St. John FMP include numerous species, including reef fish like snappers and groupers, along with commercially important pelagic and invertebrate species such as dolphinfish, wahoo, and spiny lobster. These species live in the shelf and slope waters around the islands, utilizing a variety of habitats. The reef-dwelling species in particular rely on the reef environment for protection and food.

3.2.1 Spiny Lobster Life History

The Caribbean spiny lobster, *Panulirus argus* (hereafter referred to as spiny lobster), occurs in the Western Central and South Atlantic Ocean, including the Caribbean Sea and the Gulf of America (Gulf), ranging from North Carolina in the north to Brazil in the south. Spiny lobster occur from the extreme shallows of the littoral fringe to depths exceeding 328 feet (100 meters) (Kanciruk 1980; Munro 1974). In the U.S. Caribbean, the distribution of spiny lobster extends to the edge of the shelf, which is described as the 100-fathom contour (183 m) (CFMC 1981).

3.2.2 Status of the Spiny Lobster Stocks

The [Southeast Data, Assessment, and Review](#) (SEDAR) process is a partnership managed by the Caribbean, Gulf, and South Atlantic Fishery Management Councils, NMFS, and the Atlantic and Gulf States Marine Fisheries Commissions. The main goals of the SEDAR process are to: (1) improve the quality and reliability of fishery stock assessments, (2) increase transparency and public participation, and (3) ensure that assessments are rigorously reviewed by independent scientists. The process includes three workshops: (1) the Data Workshop, during which fishing and species data are gathered and checked, (2) the Assessment Workshop, during which models are created based on the provided data to estimate the size and health of the population, and (3) the Review Workshop, during which independent experts review the input data, assessment

methods, and assessment products. The finished assessment, including all workshop reports and supporting documentation, is forwarded to the Council’s Scientific and Statistical Committee (SSC). The SSC considers whether the assessment represents the best available science and develops related fishing level recommendations (i.e., acceptable biological catch).

The SEDAR 91 assessments for spiny lobster in St. Croix and St. Thomas/St. John management areas were completed in fall of 2025, and used the same status determination criteria (i.e., minimum stock size threshold [MSST] and maximum fishing mortality threshold [MFMT]) that were used in the SEDAR 57 assessment (SEDAR 57 2019). The SEDAR 91 stock assessments found that both the St. Croix spiny lobster stock and the St. Thomas/St. John spiny lobster stock were not undergoing overfishing (i.e., current fishing mortality is below MFMT) and were not considered overfished (i.e., current spawning output is above MSST).

3.2.3 Bycatch

Fisheries and gear types that are noted for producing large amounts of bycatch (e.g., trawling) are essentially absent from the U.S. Caribbean. Effective in 2025, Amendment 2 to the Puerto Rico, St. Croix, and St. Thomas/St. John FMPs (CFMC 2024) prohibited the use of trawl nets, purse seines, and trammel nets for all fishing in federal waters and prohibited the use of gillnets for all fishing except for the use of surface gillnets that meet specified requirements for the harvest of non-federally managed fish species in federal waters. Additionally, the Virgin Islands Fish Trap Reduction Program was signed into law by the Governor of the USVI in August 2017, which limits participation in the trap fishery and the number of traps each fisherman can own. For these reasons, bycatch is not a significant issue in St. Croix and St. Thomas/St. John, compared to other regions. SEDAR 91 concluded that discard mortality of spiny lobster from the commercial fleet was minimal and represented a very minor source of mortality due to fishing. Fishery statistics of recreational spiny lobster removals are not available.

The actions in Framework Action 4 are not expected to significantly increase or decrease the magnitude of bycatch or bycatch mortality in the St. Croix and St. Thomas/St. John fisheries that target spiny lobster. Additionally, fishermen in the U.S. Caribbean region traditionally utilize most resources harvested and the amount of bycatch from the fisheries targeting spiny lobster are minimal and are not expected to change under this action. Therefore, little to no affect to mammals or birds through the impacts of lobster bycatch would be expected from the proposed actions.

3.2.4 Protected Species

Within the U.S. Caribbean, some species and their habitats are protected under the Marine Mammal Protection Act, the Endangered Species Act (ESA), or both. A summary of these two

laws and more information is available on the National Marine Fisheries Service (NMFS) Office of Protected Resources website.⁶

The NMFS completed a biological opinion on September 21, 2020, evaluating the impacts of the Puerto Rico, St. Croix, and St. Thomas/St. John fisheries on ESA-listed species that occur in the U.S. Caribbean region (NMFS 2020; see Appendix B). In the biological opinion, NMFS determined that the authorization of the fisheries conducted under each island FMP is not likely to adversely affect sperm, sei, and fin whales; the Northwest Atlantic DPS of loggerhead sea turtle and leatherback sea turtle; giant manta rays; or critical habitat of green, hawksbill, and leatherback sea turtles. The biological opinion also determined that the authorization of the island-based fisheries is not likely to jeopardize the continued existence of the North Atlantic DPS of green sea turtle, South Atlantic DPS of green sea turtle, hawksbill sea turtle, Nassau grouper, oceanic whitetip shark, Central and Southwest Atlantic DPS of scalloped hammerhead shark, *Acropora* coral (i.e., elkhorn and staghorn coral), rough cactus coral, pillar coral, lobed star coral, mountainous star coral, and boulder star coral, or result in the destruction or adverse modification of designated *Acropora* critical habitat.

ESA designated critical habitat for the green sea turtle, hawksbill sea turtle, leatherback sea turtle, and *Acropora* corals also occur within the Council's jurisdiction. Critical habitat for green and hawksbill sea turtles occurs entirely within Puerto Rico territorial waters, and over 99% of the critical habitat for leatherback sea turtles around St. Croix occurs within USVI territorial waters. Designated critical habitat of *Acropora* corals in Puerto Rico and the USVI extend from the mean low water line seaward to the 98 foot (30 meter) depth contour ([73 FR 72209](#)), the majority of which occurs in territorial waters.

ESA consultations were reinitiated to address newly designated critical habitat for six distinct population segments (DPS) of green sea turtle (88 FR 46572; July 19, 2023), five threatened Caribbean coral species (88 FR 54026; August 9, 2023), and Nassau grouper (89 FR 126; January 2, 2024) and for the listing of queen conch as threatened (89 FR 11208; February 14, 2024) as they occur in the action areas described under the Puerto Rico, St. Croix, and St. Thomas/St. John FMPs and may be affected by the fisheries. Those consultations are ongoing.

The actions contained in Framework Action 4 are not anticipated to change the operation of the St. Croix or St. Thomas/St. John fisheries in a manner that would cause effects to ESA-listed species or critical habitat that were not considered in the 2020 biological opinion.

⁶ <https://www.fisheries.noaa.gov/protecting-marine-life>

3.2.5 Changing Environmental Conditions

Environmental changes can affect spiny lobster populations as the coral reef ecosystems in which they reside shift due to increases in water temperatures and extreme weather events (e.g., hurricanes). These shifts associated with changing environmental conditions can also affect the food chain that the spiny lobsters rely on. Additionally, the extended larval phase of spiny lobsters makes them particularly vulnerable to these changing conditions, specifically the warming of surface temperatures.⁷ Ross and Behringer (2019) found that in addition to affecting the survival and size at metamorphosis of spiny lobsters, especially post-larval and juvenile lobsters, changes in ocean temperature and salinity also altered the spiny lobsters ability to identify chemosensory cues, such as selecting suitable shelters, which may result in decreased survivorship due to impaired behaviors.

3.3 Description of the Economic Environment

3.3.1 St. Croix Fishery

The Crucian spiny lobster fishery is a small-scale, multispecies system dominated by dive-based harvest methods, with trap gear contributing less than 10% of total landings. In St. Croix, its connection to tourism is part of a broader, more diversified fishing strategy. Although the lobster fishery expanded in the 1960s to meet rising hotel demand, many contemporary Crucian fishers now prioritize species such as queen conch. Lobster often functions as a secondary target, becoming more important when conch seasons close or when market demand shifts (Agar et al., 2024).

Long-term spiny lobster landings from 2012–2024 show a pronounced downward trajectory, falling from a peak of 87,073 pounds in 2012 to substantially lower levels in later years (Table 3.1). This decline accelerated following the 2017 hurricane season. In 2017, Hurricane Maria caused extensive damage to fishing gear, vessels, and coastal infrastructure, resulting in the lowest recorded annual landings of 10,970 pounds in 2018 during the 2012-2024 time series. Damage to non-fishing infrastructure also limited economic activity and delayed the re-establishment of market channels. Landings increased in subsequent years but remained below earlier baselines. The onset of the COVID-19 pandemic in 2020 introduced additional disruptions. Reductions in tourism activity, labor availability, and market demand corresponded with lower lobster landings during 2020–2021. Because price data were incomplete in several years and required interpolation, these revenue values should be interpreted cautiously.

⁷ <http://www.fao.org/fi/static-media/MeetingDocuments/WECAFC/WECAFC2019/17/Ref.35e.pdf>

Table 3.1. Annual spiny lobster landings, revenues, and prices in St. Croix, 2012–2024.

Year	Lobster landings (lbs)	Revenue (\$)		Price (\$/lb)	
		Nominal	Real (2024\$) ^a	Nominal	Real (2024\$) ^a
2012	87,073	696,584	937,776	8.00	10.77
2013	59,398	440,139	582,694	7.41	9.81
2014	39,724	294,355	382,939	7.41	9.64
2015	44,963	337,223	434,343	7.50	9.66
2016	31,582	237,181	302,871	7.51	9.59
2017	26,193	225,260	282,622	8.60	10.79
2018	10,970	86,553	106,080	7.89	9.67
2019	15,721	141,489	170,730	9.00	10.86
2020	22,312	208,394	248,109	9.34	11.12
2021	39,782	364,005	414,528	9.15	10.42
2022	28,225	280,557	298,056	9.94	10.56
2023	43,733	498,556	510,801	11.40	11.68
2024	36,407	383,366	383,366	10.53	10.53

^aValues and prices are deflated using the 2024 BEA Implicit Price Deflator (GDP Deflator by Year). Because prices were not collected consistently across years or species—and in several years were unavailable altogether—they are less reliable indicators of economic conditions. In years with no reported price information, values were interpolated to maintain continuity in the time series, and these estimates should not be regarded as observed prices.

Fishing activity among St. Croix lobster harvesters showed noticeable year-to-year shifts from 2020 through 2024. Lobster-directed trips generally made up about half of all fleet activity, ranging from a low of 46% in 2020 to a high of 53% in both 2021 and 2024. Total trips increased sharply in 2021 and 2023, driven by rises in both lobster and non-lobster effort, before easing slightly in 2024 (Table 3.2).

Table 3.2. Trip activity taken by lobster harvesters in St. Croix, 2020–2024.

Year	Lobster Trips	Non-Lobster Trips	Total Fleet Trips	Lobster Trips (%)
2020	447	527	974	46
2021	925	814	1,739	53
2022	654	699	1,353	48
2023	973	886	1,859	52
2024	896	789	1,685	53

Landings and revenues followed a similar pattern: lobster landings peaked in 2021, while non-lobster landings were highest in 2022. Revenues from lobster trips were strongest in 2021 and 2023, whereas non-lobster revenue was highest in 2020 and 2022. Adjusted to 2024 dollars, data for Table 3.3 show that economic performance fluctuated across the period, reflecting changes in effort, catch composition, and the variability of reported prices.

Table 3.3. Annual fishing activity, landings, and revenue metrics for lobster fishers in St. Croix, 2020–2024.

Year	Number of fishers reporting landing lobster	Total Fleet Trips	Total landings from lobster trips (lbs)	Total landings from non-lobster trips (lbs)	Revenue from lobster trips(\$)		Revenue from non-lobster trips (\$)	
					Nominal	Real (2024\$) ^a	Nominal	Real (2024\$) ^a
2020	26	974	101,481	87,314	782,658	931,847	625,117	744,275
2021	32	1,739	147,666	85,444	1,181,624	1,345,506	672,348	765,597
2022	31	1,353	78,825	95,506	686,991	729,677	788,818	837,831
2023	31	1,859	98,834	65,013	918,823	941,707	529,750	542,943
2024	31	1,685	88,828	60,158	794,659	794,659	514,759	514,759
5-year average	30	1,522	103,127	78,687	872,951	948,679	626,158	681,081

^aReal values are calculated using the 2024 BEA GDP Deflator. Because ex-vessel price data were inconsistently collected across years—and absent in some years—revenues for those missing years rely on interpolated proxy prices to maintain continuity in the time series.

Table 3.4. Summary of trip-level landings and revenues for the St. Croix lobster fleet, 2020–2024.

Year	Trip count	Mean lobster landings (lb/trip)	Mean total landings (lb/trip)	Mean Lobster Revenue (\$/trip)		Mean total Revenue (\$/trip)	
				Nominal	Real (2024\$) ^a	Nominal	Real (2024\$) ^a
2020	447	50	227	466	555	1,751	2,085
2021	925	43	160	394	448	1,277	1,455
2022	654	43	121	429	456	1,050	1,116
2023	973	45	102	512	525	944	968

Year	Trip count	Mean lobster landings (lb/trip)	Mean total landings (lb/trip)	Mean Lobster Revenue (\$/trip)		Mean total Revenue (\$/trip)	
				Nominal	Real (2024\$) ^a	Nominal	Real (2024\$) ^a
2024	896	41	99	428	428	887	887

^aReal values are calculated using the 2024 BEA GDP Deflator. Because ex-vessel price data were inconsistently collected across years—and absent in some years—revenues for those missing years rely on interpolated proxy prices to maintain continuity in the time series.

About 30 fishers participate in the Crucian lobster fishery. These individuals maintain diversified operational strategies, alternating between lobster-directed trips and trips targeting other species. In 2024, the fleet conducted 896 lobster-yielding trips and 693 non-lobster trips (Table 3.4 and Table 3.5). Between 2020 and 2024, the primary species landed jointly with lobster were stoplight parrotfish and queen conch, providing context for the role of lobster within multispecies operations. On mixed-species trips, lobster accounted for 22–44% of total landings and 27–54% of total revenue (Table 3.5).

Table 3.5. Composition of jointly caught landings and revenues for spiny lobster trips in St. Croix, 2020–2024.

Year	Total Trip Landings (lbs)	Lobster share of jointly-caught landings (%)	Total Trip Revenue (\$)		Lobster share of jointly caught revenues (%)
			Nominal	Real (2024\$) ^a	
2020	101,481	22	782,658	931,847	27
2021	147,666	27	1,181,624	1,345,506	31
2022	78,825	36	686,991	729,677	41
2023	98,834	44	918,823	941,707	54
2024	88,828	41	794,659	794,659	48

^aReal values are calculated using the 2024 BEA GDP Deflator. Because ex-vessel price data were inconsistently collected across years—and absent in some years—revenues for those missing years rely on interpolated proxy prices to maintain continuity in the time series.

Non-lobster fishing trips remain an important source of income for lobster fishers. Queen conch generated the highest non-lobster revenue, supplemented by parrotfishes, dolphinfish, and deeper-water species such as silk snapper. Non-lobster landings ranged from approximately 60,000 to 96,000 pounds annually, with 51–70% harvested in territorial waters (Table 3.6).

Table 3.6. Summary of non-lobster fishing activity by lobster fishers in St. Croix, 2020–2024.

Year	Non-lobster trips taken by lobster fishers (count)	Non-lobster Landings (lbs)	Share of non-lobster landings in Territorial waters (%)	Total Trip Revenue (\$)	
				Nominal	Real (2024\$) ^a
2020	469	87,314	51	625,117	744,276
2021	703	85,444	70	672,348	765,597
2022	563	95,506	57	788,818	837,831
2023	714	65,013	64	529,750	542,943
2024	693	60,158	62	514,759	514,759

^aReal values are calculated using the 2024 BEA GDP Deflator. Because ex-vessel price data were inconsistently collected across years—and absent in some years—revenues for those missing years rely on interpolated proxy prices to maintain continuity in the time series.

Spatial patterns provide additional information on fleet behavior. Fishing activity declined and contracted toward territorial waters during the 2020-2024 period. Although average revenues per trip remained higher in federal waters, the difference narrowed by 2024 (Table 3.7).

Table 3.7. Average trip revenues from lobster and jointly-caught species by fishing area, St. Croix (2020–2024).

Year	Spiny Lobster Nominal Revenues (\$)		Nominal Revenues From Jointly-caught Species (\$)		Total Nominal Revenues (\$)	
	Territorial Waters	Federal Waters	Territorial Waters	Federal Waters	Territorial Waters	Federal Waters
2020	393	851	533	3,471	926	4,322
2021	387	540	538	1,684	925	2,224
2022	410	508	402	874	812	1,383
2023	446	630	328	592	773	1,222
2024	409	452	444	413	853	866

Participation ranged from 26 to 32 fishers annually. At the individual level, economic dependence on lobster varied substantially. Mean dependence increased to 33% in 2023 before declining to 27% in 2024 (Table 3.8). Individual dependence ranged from minimal reliance on lobster to near-complete reliance, reflecting heterogeneous strategies within the fleet.

Table 3.8. Fisher participation and lobster revenue dependence in St. Croix, 2020–2024.

Year	Number of fishers reporting landing lobster	Mean Dependency (%, lobster revenue/ all revenue)	Median Dependency (%, lobster revenue/ all revenue)	Min Dependency (%, lobster revenue/ all revenue)	Max Dependency (%, lobster revenue/ all revenue)
2020	26	24	21	0	100
2021	32	24	21	1	100
2022	31	28	27	1	100
2023	31	33	32	2	85
2024	31	27	24	1	74

3.3.2 St. Thomas and St. John Fishery

The St. Thomas and St. John spiny lobster fishery is a small-scale, multispecies trap-based fishery. About 90% of harvested lobster is caught with lobster traps, with the remainder mostly taken in fish traps. In both islands, spiny lobster landings are closely tied to the tourism cycle. Demand rises sharply during the high tourist season from November through April, when visitors from the continental United States and elsewhere escape colder climates and frequent local hotels and restaurants. Production, however, reaches its lowest point during the peak hurricane season (July to September), which coincides with the departure of most tourists and the temporary closure of many restaurants (Agar et al., 2024). Because the local fleet operates on a market-based model that avoids freezing to preserve taste and quality, fishers adjust their catch volumes to match these seasonal shifts in demand.

Local lobster production consistently exceeds import volumes into the Territory. From 2020 to 2024, St. Thomas and St. John landed between 94,000 and 125,000 lbs annually, while St. Croix contributed an additional 22,000 to 44,000 lbs per year. All locally harvested lobster is consumed within the Territory, and although inter-island trade occurs—primarily transfers from St. Croix to St. Thomas and St. John—the volume of this inter-island movement is unknown. During this same five-year period, imports from other countries averaged roughly 7,500 lbs per year, though this average is heavily influenced by an exceptional spike in 2024, when imports exceeded 35,000 lbs.

Table 3.9 shows that annual spiny lobster landings in St. Thomas and St. John display pronounced variability between 2012 and 2024, with two clear periods of decline followed by recovery linked to major environmental and global disruptions. Total production reached an early peak of 121,697 lbs in 2016, but the 2017 hurricane season caused an immediate 24% drop in landings. In 2017, Hurricane Irma left residents without power, water, or shelter for months,

severely constraining fishing activity. This contraction continued into 2018, when landings fell to a series low of 86,731 lbs.

A second disruption occurred in 2020 due to the COVID-19 pandemic, which reduced fishing activity and market demand. Following the pandemic-related dip, landings rose again from 2022 onward, reaching new highs in 2023 and 2024. Because price information was incomplete in several years, interpolated values limit the interpretive strength of price trends.

Table 3.9. Annual spiny lobster landings, revenues, and prices in St. Thomas and St. John 2012–2024.

Year	Lobster landings (lbs)	Revenue (\$)		Price (\$/lb)	
		Nominal	Real (2024\$) ^a	Nominal	Real (2024\$) ^a
2012	83,163	665,304	895,670	8.00	10.77
2013	84,513	769,068	1,017,959	9.10	12.05
2014	92,261	839,575	1,091,917	9.10	11.84
2015	109,455	985,095	1,269,289	9.00	11.60
2016	121,697	1,095,273	1,397,923	9.00	11.49
2017	91,934	830,164	1,041,219	9.03	11.33
2018	86,731	777,977	953,871	8.97	11.00
2019	98,610	887,490	1,070,684	9.00	10.86
2020	94,331	829,628	987,770	8.78	10.47
2021	101,109	765,395	871,550	7.57	8.62
2022	104,907	922,108	979,403	8.79	9.34
2023	123,547	1,144,045	1,172,538	9.26	9.49
2024	125,177	1,100,310	1,100,310	8.79	8.79

^aValues and prices are deflated using the 2024 BEA Implicit Price Deflator (GDP Deflator by Year). Because prices were not collected consistently across years or species—and in several years were unavailable altogether—they are less reliable indicators of economic conditions. In years with no reported price information, values were interpolated to maintain continuity in the time series, and these estimates should not be regarded as observed prices.

Tables 3.10 and 3.11 summarize the recent annual fishing activity and economic performance for lobster fishers from 2020 through 2024, with current conditions taken into account throughout the analysis. Lobster fishers in St. Thomas and St. John are not solely dependent on the lobster fishery. From 2020 to 2024, trips targeting lobster made up roughly 65–68% of the fleet’s annual activity, with the remaining 32–35% focused on other species (Table 3.10).

Table 3.10. Trip activity taken by lobster harvesters in St. Thomas and St. John, 2020–2024.

Year	Lobster Trips	Non-Lobster Trips	Total Fleet Trips	Lobster Trips (%)
2020	1,013	509	1,522	67
2021	1,067	510	1,577	68
2022	1,001	592	1,593	63
2023	956	503	1,459	66
2024	998	487	1,485	67

Landings from lobster trips consistently dominated overall harvests, exceeding non-lobster landings by a wide margin each year—typically more than double, and in some years nearly triple, the volume of non-lobster landings. Because price data were inconsistently collected across years, real revenue estimates rely partly on interpolated values and should be interpreted with caution.

Table 3.11. Annual fishing activity, landings, and revenue metrics for lobster fishers in St. Thomas and St. John, 2020–2024.

Year	Number of fishers reporting landing lobster	Total Fleet Trips	Total landings from lobster trips (lbs)	Total landings from non-lobster trips (lbs)	Revenue from lobster trips(\$)		Revenue from non-lobster trips (\$)	
					Nominal	Real (2024\$) ^a	Nominal	Real (2024\$) ^a
2020	35	1,522	214,102	84,403	1,667,482	1,985,334	589,857	702,294
2021	30	1,577	201,029	92,879	1,445,684	1,646,190	627,585	714,626
2022	42	1,593	193,067	97,922	1,585,033	1,683,519	731,942	777,421
2023	42	1,459	200,335	87,250	1,636,760	1,677,524	569,306	583,484
2024	37	1,485	223,275	90,502	1,955,752	1,955,752	781,089	781,089
5-year average	37	1,527	206,362	90,591	1,658,142	1,789,664	659,956	711,783

^aReal values are calculated using the 2024 BEA GDP Deflator. Because ex-vessel price data were inconsistently collected across years—and absent in some years—revenues for those missing years rely on interpolated proxy prices to maintain continuity in the time series.

Trip-level indicators offer a closer look at how individual lobster fishing operations adapted to the pandemic disruption (Table 3.12). For the St. Thomas and St. John lobster fleet, these indicators show clear shifts from 2020 through 2024, with changes in landings and revenues closely reflecting the impacts of the COVID-19 pandemic and the subsequent rebound (Table

3.12). Mean lobster landings per trip were relatively low in 2020 and 2021, when pandemic-related constraints affected both fishing activity and market demand. Mean total landings per trip also declined in 2021 before beginning to recover. From 2022 onward, both mean lobster landings and mean total landings per trip increased steadily, reaching their highest levels in 2023 and 2024. Revenues per trip followed a similar trajectory: mean lobster and total revenues were lowest during 2020–2021, but rose consistently from 2022 through 2024, mirroring the improvements in landings and overall market conditions.

Table 3.12. Summary of trip-level landings and revenues for the St. Thomas and St. John lobster fleet, 2020–2024.

Year	Trip count	Mean lobster landings (lb/trip)	Mean total landings (lb/trip)	Mean Lobster Revenue per trip (\$/trip)		Mean Total Revenue per trip (\$/trip)	
				Nominal	Real (2024\$) ^a	Nominal	Real (2024\$) ^a
2020	1,013	93	211	818	973	1,646	1,960
2021	1,067	95	188	717	817	1,355	1,543
2022	1,001	105	193	921	978	1,583	1,682
2023	956	129	210	1,197	1,227	1,712	1,755
2024	998	125	224	1,103	1,103	1,960	1,960

^aReal values are calculated using the 2024 BEA GDP Deflator. Because ex-vessel price data were inconsistently collected across years—and absent in some years—revenues for those missing years rely on interpolated proxy prices to maintain continuity in the time series.

Because lobster fishing occurs within a multispecies context, it is also important to examine the composition of jointly caught landings and revenues. Jointly caught landings and revenues show that lobster consistently accounted for a substantial share of total catch value on mixed-species trips (Table 3.13). The lobster proportion or share of total landings increased from 44% in 2020 to a peak of 62% in 2023, before moderating slightly in 2024. Similarly, the lobster share of total revenues rose from 50% in 2020 to 70% in 2023, reflecting both higher landings and relative value. Species commonly landed jointly with lobster included queen triggerfish (Ole Wife), red hind, gray angelfish, white grunt, doctorfish, scrawled cowfish, blue striped grunt, stoplight parrotfish, French angelfish, and hogfish.

Table 3.13. Composition of jointly caught landings and revenues for spiny lobster trips in St. Thomas and St. John, 2020–2024.

Year	Total Trip Landings (lbs)	Lobster share of jointly-caught landings (%)	Total Trip Revenue (\$)		Lobster share of jointly caught revenues (%)
			Nominal	Real (2024\$) ^a	
2020	214,102	44	1,667,482	1,985,334	50
2021	201,029	50	1,445,684	1,646,190	53
2022	193,067	54	1,585,033	1,683,519	58
2023	200,335	62	1,636,760	1,677,524	70
2024	223,275	56	1,955,752	1,955,752	56

^aReal values are calculated using the 2024 BEA GDP Deflator. Because ex-vessel price data were inconsistently collected across years—and absent in some years—revenues for those missing years rely on interpolated proxy prices to maintain continuity in the time series.

Understanding the broader multispecies strategy requires considering the year-round non-lobster fishing activity of lobster fishers (Table 3.14). Non-lobster fishing remains an important component of fisher income. Annual non-lobster landings ranged from 84,403 to 97,922 lbs between 2020 and 2024, with 28–43% harvested in territorial waters. On trips where no lobster was caught, the most frequently landed species included queen triggerfish (Ole wife), red hind, yellowtail snapper, blue runner, dolphinfish, whelks, gray angelfish, white grunt, yellowfin tuna, and blue striped grunt. These figures highlight the reliance on a diverse set of species to buffer income against fluctuations in lobster availability and market conditions.

Table 3.14. Summary of non-lobster fishing activity by lobster fishers in St. Thomas and St. John, 2020–2024.

Year	Non-lobster trips taken by lobster fishers (count)	Non-lobster Landings (lbs)	Share of non-lobster landings in Territorial waters (%)	Total Trip Revenue (\$)	
				Nominal	Real (2024\$) ^a
2020	509	84,403	43	589,857	702,294
2021	510	92,879	30	627,585	714,626
2022	592	97,922	30	731,942	777,421
2023	503	87,250	28	569,306	583,484
2024	487	90,502	37	781,089	781,089

^aReal values are calculated using the 2024 BEA GDP Deflator. Because ex-vessel price data were inconsistently collected across years—and absent in some years—revenues for those missing years rely on interpolated proxy prices to maintain continuity in the time series.

Spatial patterns in trip revenues further illustrate how fishers adjust effort across territorial and federal waters (Table 3.15). Spatial patterns indicate a gradual reduction in offshore activity. For jointly-caught species and total revenues, federal water trips continued to generate higher average revenues than territorial water trips. Total revenue per trip in federal water decreased from \$2,480 in 2020 to \$2,385 in 2024, while territorial water revenues increased from \$1,181 to \$1,347 over the same period.

Table 3.15. Average trip revenues from lobster and jointly-caught species by fishing area in St. Thomas and St. John, 2020–2024.

Year	Spiny Lobster Nominal Revenues (\$)		Nominal Revenues From Jointly-caught Species (\$)		Total Nominal Revenues (\$)	
	Territorial Waters	Federal Waters	Territorial Waters	Federal Waters	Territorial Waters	Federal Waters
2020	932	1,006	250	1,474	1,181	2,480
2021	845	787	208	1,159	1,053	1,947
2022	1,043	935	296	1,077	1,339	2,012
2023	1,169	1,291	196	1,027	1,365	2,318
2024	1,167	1,042	181	1,343	1,347	2,385

The combined patterns of lobster and non-lobster activity shape how reliant individual fishers are on lobster revenue. Fisher-level dependence on lobster revenue remained variable between 2020 and 2024, with mean dependence ranging from 36% to 45% and individual values spanning from less than 1% to 100% (Table 3.16). This wide distribution reflects the diverse strategies fishers use to balance lobster harvests with other species, allowing them to adapt to seasonal shifts, environmental conditions, and market disruptions.

Participation ranged from 30 to 42 fishers annually, indicating a relatively stable but modestly sized fleet. The persistence of fishers with both very low and very high dependence underscores the importance of lobster as both a primary target species and a flexible component of broader multispecies portfolios.

Table 3.16. Fisher participation and lobster revenue dependence in St. Thomas and St. John, 2020–2024.

Year	Number of fishers reporting landing lobster	Mean Dependency (% , lobster revenue/ all revenue)	Median Dependency (% , lobster revenue/ all revenue)	Min Dependency (% , lobster revenue/ all revenue)	Max Dependency (% , lobster revenue/ all revenue)
2020	35	45	37	<1	100
2021	30	36	28	1	100
2022	42	42	31	1	100
2023	42	42	40	1	100
2024	37	44	35	<1	100

3.4 Description of the Social Environment

This section describes the social environment associated with the spiny lobster fishery in the USVI, including St. Croix and St. Thomas/St. John.

3.4.1 Historical and Cultural Context

Marine resource use in the USVI extends back approximately 2,500–3,000 years to Indigenous populations migrating from northern South America. Archaeological and ethno-historical evidence documents sustained reef fishing, shellfish harvesting, and nearshore marine exploitation through pre-Columbian societies, colonial plantation economies, emancipation, and into the modern territorial period.

Caribbean spiny lobster has historically functioned as both a subsistence resource and a socially embedded food shared through social networks (kinship, communal, occupational and familial). Prior to large-scale tourism development in the mid-to-late twentieth century, lobster had limited formal commercial value and was frequently distributed within households and among community members.

With the growth of tourism-based economies in the USVI, lobster transitioned into a high-value commercial species serving restaurants and resorts. Despite this commercialization, lobster retains strong cultural significance and remains embedded in social exchange networks, food security practices, and intergenerational knowledge transmission.

Oral histories conducted with multigenerational fishing families document lobster’s longstanding role in household food security. Prior to widespread refrigeration, lobster was frequently

harvested for immediate household consumption. To further explain this, we consider a 2024 oral history interview with the daughter of a well-known fisherman and fishing family. She stated that when she was growing up, even though they were poor and never had the luxury of certain activities such as eating out, they did always have food both from the sea and from their farm/house-gardens. She said that they may not have had a lot of money but they always had something to eat and interestingly in many cases it was lobster and conch, two species easily accessible inshore and targeted by her father and uncles on the evenings and weekends ([NOAA Voices Oral History Archives](#)).

During the recent hurricane and COVID-19 pandemic, distribution patterns temporarily mirrored historical subsistence models, demonstrating adaptive capacity within fishing communities. Fishers were deemed essential workers and were responsible for providing fresh local seafood to community residents struggling with economic and health concerns ([NOAA Voices Oral History Archives](#)).

3.4.2 Recent Environmental and Socioeconomic Perturbations

The USVI social environment is highly linked to coastal and marine systems. Key vulnerabilities include: (1) hurricane exposure and infrastructure susceptibility, (2) coral reef degradation and fisheries productivity shifts, (3) sea-level rise affecting low-lying communities and waterfront infrastructure, and (4) increases in water temperatures.

Recent major disturbances affecting the social environment of the lobster fishery include Hurricanes Irma and Maria (2017) and the COVID-19 pandemic (2020–2022). Hurricane impacts included vessel loss, marina damage, gear destruction, fuel shortages, and tourism collapse. The pandemic similarly disrupted demand from restaurants and resorts, leading to short-term contraction of commercial markets.

Adaptive capacity varies across fishing sectors. Households dependent on small-scale fishing or informal marine employment may experience greater sensitivity to environmental changes or ecological decline, while tourism-linked enterprises are vulnerable to global economic and environmental disruptions. Oral histories in the USVI document the development of adaptive strategies for dealing with natural and social perturbations, often couched on their reliance on social capital and developed social networks that allows for resource sharing and culturally appropriate methods for overcoming a diverse set of social and natural forces. Following the recent disruptions (e.g., the 2017 hurricanes and COVID-19 pandemic), fishermen adapted by redirecting catch toward local consumption and informal distribution networks, demonstrating the fishery's role as a resilience resource.

More recently and ongoing, significant Sargassum influxes (building since 2008 and reaching all time high levels in 2024–2025) have created emerging challenges. Fishermen report gear

fouling, navigational congestion, diver safety concerns, and increased maintenance costs. While not yet resulting in regulatory closures, these environmental conditions represent growing uncertainty within the social-ecological system.

3.4.3 Fishery Overview and Community Dependence

National Standard 8 requires that managers take into account the importance of fishery resources to fishing communities. This is accomplished by utilizing the best scientific information available in order to provide for the sustained participation of those communities and minimize adverse economic impacts on those communities. Following this directive, over the last 23 years social scientists and economists from the NMFS have engaged in socio-economic research to identify the importance and historical and contemporary connection of USVI communities to fisheries and local marine resources. Research findings led to two important decisions regarding the USVI fisheries. First, that St. Croix and St. Thomas/St. John should each be designated as a fishing community (Stoffle et al. 2009, 2011) and, second, that due to the difference between the fisheries, each island area should be managed separately based on variability in community engagement and dependence on specific marine resources. At its 136th meeting in December 2010, the Council voted to designate the USVI as “Fishing Communities” under the Magnuson-Stevens Act, recognizing their shared values, beliefs, and practices while also identifying unique attributes in each fishery sector, justifying the need for island-based management.

Framework Amendment 2 includes graphical representations for each district of fisher engagement levels and reliance on commercial/artisanal fisheries to identify areas where spiny lobster is of local importance and where prospective regulatory effects would most likely be experienced (see Figures 3.5.4 and 3.5.5 in Framework Amendment 2). These figures represent the most recent commercial/artisanal fishing engagement and reliance indicators for the USVI and were not updated under this action.

The St. Croix and St. Thomas/St. John lobster fisheries support commercial⁸ and recreational⁹ fishers. Pre-arranged sales agreements between commercial fishers and restaurants and resorts have become more common since the COVID-19 pandemic, reducing waste and aligning harvest effort with demand. Traditional dockside and roadside sales also persist, reflecting longstanding relationships between fishermen and repeat customers. Lobster is regularly sold to locals, especially if a specific event or ceremony is being held. This too is usually preordered to ensure that both fisher and client are on the same page with regard to quantity and size. Some commercial fishers retain a portion of their catch for subsistence purposes (e.g., household consumption).

⁸ Commercial fishing is defined at 50 CFR 622.2 as any fishing or fishing activities which result in the harvest of any marine or freshwater organisms, one or more of which (or parts thereof) is sold, traded, or bartered.

⁹ Recreational fishing is defined at 50 CFR 622.2 as fishing or fishing activities which result in the harvest of fish, none of which (or parts thereof) is sold, traded, or bartered.

Recreational and commercial fishers who retain a portion of their catch for subsistence purposes commonly target inshore reefs using snorkel or shallow diving gear. Harvest frequently coincides with family gatherings, holidays, and social events, reinforcing cultural continuity. For purposes of this action, recreational and subsistence participants are treated jointly because lobster harvest is a retention fishery targeted primarily for consumption.

Ancillary businesses include seafood dealers, restaurants, hotels, dive shops, fuel providers, and marine supply vendors. For example, dive shops play an important supporting role by providing tank refills and equipment maintenance services for commercial as well as recreational divers. The spiny lobster fisheries contribute to income diversification, household provisioning, and tourism-based economic activity across both island districts.

3.4.4 St. Croix

Location and Population

St. Croix is the largest of the U.S. Virgin Islands, located in the Caribbean Sea approximately 40 miles south of St. Thomas and St. John. The island measures 82 square miles and includes diverse marine habitats such as coral reefs, seagrass beds, and mangroves that support subsistence, commercial, and recreational fisheries.

St. Croix is home to **41,004 residents (2020 Census)**, making it the most populated island in the USVI (U.S. Census Bureau 2022). Fishing households comprise a small but culturally significant portion of the population. Fishers include commercial license holders, part-time operators, subsistence fishers, and charter captains. Family and kinship networks structure much of the community's engagement with marine resources, with fishing knowledge transmitted across generations.

Commercial Harvest Practices

As described in Stoffle et al. (2009), improved roads and facilities allow fishermen to use a variety of locations around the island based on their ability to trailer their boats. Using multiple launching/landing sites suggests a conscious adaptation of fishing practices, with the selected fishing location often a result of careful deliberation of market pressure/demand, weather and safety.

St. Croix fishermen use three primary locations where they launch and land their boats: Altoona Lagoon on the north coast, which accounted for 57% of the total spiny lobster landings from 2020-2024; Molasses Dock (aka Krauss Lagoon) on the south coast, which accounted for 16%; and Frederiksted on the west coast, which accounted for 11%.

In St. Croix, commercial harvesters primarily target lobster using SCUBA and freediving on shallow reef habitats (see Table 3.3 for the number of commercial fishers reporting lobster in St. Croix). Some fishermen combine SCUBA with trap deployment targeting strategies, selectively removing legal-sized lobster from a trap and working other traps until they reach a predetermined quantity or run out of air. This hybrid method increases efficiency but also requires frequent surfacing and tank usage, increasing operational costs.

Reports from fishermen indicate increasing conflict associated with unauthorized removal of lobster from privately set traps. These conflicts generate economic losses, gear damage, and strain within the fishing community. Some fishermen have confronted one another on land and offered to teach the illegal fishermen the strategy for building their own traps. This has been met with varying degrees of success. The illegal fishing is said to disrupt pre-established arrangements by undercutting prices. Fishermen understand the problematic nature of enforcement due to limited individuals who are stretched to cover many land and sea based issues. However, fishermen report that increased efforts to curb illegal fishing would stabilize markets and relationships.

3.4.5 St. Thomas and St. John

Location and Population

St. Thomas is one of the three principal islands of the USVI, an unincorporated territory of the United States located in the eastern Caribbean. The territorial capital, Charlotte Amalie in St. Thomas serves as the administrative, commercial, and transportation hub of the USVI. Its deep-water harbor and strategic location in the Lesser Antilles have historically positioned the island as a center for trade, maritime commerce, and cruise tourism. This geographic centrality strongly shapes the island's contemporary social and economic organization.

St. Thomas, has a total land area of approximately 31 square miles, 13 miles in length and 4 miles in width. It is the second-largest island in the USVI after St. Croix and the most densely populated of the three main islands. St. Thomas has a population of approximately **40,000–45,000 residents** (recent estimates fluctuate due to migration and post-disaster displacement). The social fabric reflects an Afro-Caribbean population with deep historical roots tied to Danish colonialism, plantation slavery, and emancipation in 1848. These roots were further shaped by subsequent U.S. governance from 1917 to the present. The region has also seen significant migration from other Caribbean and European nations, particularly from those of French descent, as well as people from Puerto Rico, the Dominican Republic, and the Eastern Caribbean islands. This migration contributes significantly to the area's cultural and linguistic diversity. Additionally, there is a smaller but influential population of continental U.S. expatriates and seasonal residents. This group is primarily concentrated in the tourism, real estate, and recreational marine industries.

Outmigration—especially of younger residents seeking education and employment opportunities in the mainland United States—remains a persistent demographic dynamic, affecting labor force composition and community continuity.

St. John is the smallest of the three principal islands of the USVI, yet it possesses one of the most distinct demographic profiles in the territory. With a population of approximately **4,000–4,500 residents** (fluctuating seasonally), St. John is characterized by low population density, high land conservation coverage, and a dual structure of long-standing Crucian/West Indian families and in-migrating mainland U.S. residents.

A defining demographic turning point occurred in 1956 with the establishment of Virgin Islands National Park, which today encompasses roughly 60% of the island’s land area. Federal land acquisition limited large-scale development and permanently reshaped settlement patterns, concentrating residential communities in Cruz Bay, Coral Bay, and several smaller inland neighborhoods.

St. John accounts for less than 5% of the total USVI population. Settlement is clustered primarily in Cruz Bay, Coral Bay (smaller, more residential and historically fishing-oriented community) and scattered hillside and coastal residential areas. Seasonal variation is pronounced. During peak tourist months (December–April), the island’s population can increase significantly due to short-term visitors and part-time residents. This seasonal fluctuation affects housing markets, labor demand, and public services.

Commercial Harvest Practices

As described in Stoffle et al. (2011), many fishermen in St. Thomas prefer to keep their boats in areas close to where they live, using the same launching and landing sites and continuing long-term, established relationships with the local businesses (services) in the area. Currently, there are eight marinas located on St. Thomas, four on the south side and four on the east side, and 11 designated mooring and anchoring areas.¹⁰ The majority of the total spiny lobster landings for 2020-2024 were reported from Benner Bay (55%) and Red Hook (24%) areas, both on the east side of St. Thomas.

In contrast to St. Croix, the St. Thomas/St. John lobster fishery primarily utilizes trap-based harvest methods (see Table 3.11 for the number of commercial fishers reporting lobster in St. Thomas/St. John). A smaller portion of lobster is caught incidentally in fish pots. Trap fishing supports consistent supply to high-end restaurants and resorts serving U.S. mainland and international tourists.

¹⁰ <https://usvi.net/information/marinas-in-the-virgin-islands/>

3.4.6 Summary and Management Considerations

The USVI spiny lobster fishery is deeply embedded within cultural traditions, local food systems, and tourism-driven economies. Oral histories and long-term engagement by social science researchers with the local fishermen of the USVI has demonstrated that lobster, which was once deemed a non-market value species, is currently one of the most economically important species in the region and still plays an important role in each island districts' fishery today.

3.5 Description of the Administrative Environment

3.5.1 Federal Fishery Management

The Magnuson-Stevens Act (16 U.S.C. 1801 et seq.) claims sovereign rights and exclusive fishery management authority over most fishery resources within the U.S. Caribbean EEZ, an area extending from the seaward boundary of each coastal state to 200 nautical miles from shore, as well as authority over U.S. anadromous species and continental shelf resources that occur beyond the EEZ.

The Council is responsible for the conservation and management of fishery stocks within federal waters surrounding St. Croix and St. Thomas/St. John. The Council consists of seven voting members: four members nominated by the Governors of Puerto Rico and the USVI and appointed by the Secretary of Commerce (Secretary), at least one of whom is appointed from each state (i.e., territory); the principal officials with marine fishery management responsibility for Puerto Rico and the USVI designated by their Governors; and NMFS' Southeast Region Regional Administrator. Regional councils are responsible for preparing, monitoring, and revising management plans for fisheries needing management within their jurisdiction. The Secretary is responsible for promulgating regulations to implement proposed plans and amendments after ensuring that management measures are consistent with the Magnuson-Stevens Act and with other applicable laws (Appendix C). In most cases, the Secretary has delegated this authority to NMFS.

The public is involved in the fishery management process through participation at public meetings, on advisory panels and through council meetings that, with few exceptions for discussing personnel matters, are open to the public. The regulatory process is in accordance with the Administrative Procedure Act, in the form of "notice and comment" rulemaking, which provides extensive opportunity for public scrutiny and comment, and requires consideration of and response to those comments.

3.5.2 U.S. Virgin Islands Fisheries Management

The purpose of state representation at the Council level is to ensure state participation in federal fishery management decision-making and to promote the development of compatible regulations in state and federal waters. State governments have the authority to manage their respective fisheries including enforcement of fishing regulations, and exercises legislative and regulatory authority over their states' natural resources through discrete administrative units. Although each state agency is the primary administrative body with respect to the state's natural resources, all states cooperate with numerous state and federal regulatory agencies when managing marine resources.

The USVI's [Department of Planning and Natural Resources](#) is responsible for the conservation and management of USVI fisheries and enforcement of boating and fishing regulations in state waters (0-3 nautical miles from shore) and the [Division of Fish and Wildlife](#) (DFW) is responsible for data collection pertaining to the fisheries of the USVI. The DFW monitors commercial and recreational fisheries and provides recommendations to the DPNR Commissioner on matters relating to fisheries management. Rules and regulations for the USVI fisheries are codified in the Virgin Islands Code (V.I.C.), primarily within Title 48 Chapter 12. Regulations specific to spiny lobster are listed at [12 V.I.C. § 319](#), many of which are compatible with federal regulations for the species. In addition to the species-specific regulations, there are several areas around the USVI where fishing is prohibited such as the Virgin Islands Coral Reef National Monument off St. John and the Buck Island Reef National Monument off St. Croix that could provide additional protections for spiny lobster.

Chapter 4. Environmental Effects

This framework action includes the same alternatives for updating the overfishing limit (OFL), acceptable biological catch (ABC), and annual catch limit (ACL) values for spiny lobster under the St. Croix Fishery Management Plan (FMP) and the St. Thomas/St. John FMP. To reduce repetition within this chapter, the environmental effects are discussed for each alternative, then by island where applicable.

Summary of Management Alternatives

St. Croix (Action 1) and St. Thomas/St. John (Action 2)

Alternative 1. No Action. Retain the current spiny lobster OFL, ABC, and ACL values.

Alternative 2 (Preferred for St. Thomas/St. John). Update the spiny lobster OFL and ABC values and set the ACL **equal to** the recommended ABC.

Alternative 3 (Preferred for St. Croix). Update the spiny lobster OFL and ABC values and set the ACL **equal to 95%** of the recommended ABC.

Alternative 4. Update the spiny lobster OFL and ABC values and set the ACL **equal to 90%** of the recommended ABC.

4.1 Effects on the Physical Environment

Effects on the physical environment generally occur from fishing effort associated with interactions between fishing gear (e.g., spiny lobster traps) and the bottom substrate or from anchoring.

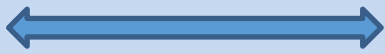
Through this action, the Caribbean Fishery Management Council (Council) would revise the OFL, ABC, and ACL for spiny lobster in federal waters around St. Croix and St. Thomas/St. John based on the SEDAR 91 spiny lobster stock assessments and recommendations from its Scientific and Statistical Committee (SSC). The analysis below assumes that (1) harvest would be constrained to the ACLs and (2) the amount of harvest (i.e., weight in pounds) correlates to interactions between fishing gear and anchors and the bottom.

Alternative 1 (No Action) would retain the OFL, ABC, and ACL for spiny lobster established under the 2022 update to the previous spiny lobster stock assessments (SEDAR 57). No effects on the physical environment would be expected as the catch levels would not change (no changes in fishing effort from the baseline), thus current interactions with the substrate from gear and anchors would not change. **Alternative 2 (Preferred for St. Thomas/St. John), Alternative 3 (Preferred for St. Croix), and Alternative 4** would update the OFL and ABC values based on the most recent spiny lobster stock assessments (SEDAR 91), and would set ACL values based

on an increasing degree of management uncertainty (i.e., the ACLs would decrease as the buffer increases).

For St. Croix, the ACL under **Alternative 2** would increase by 48,809 pounds (lbs) from the ACL under **Alternative 1**, and would be 9,303 lbs greater than the ACL under **Preferred Alternative 3** and 18,606 lbs greater than the ACL under **Alternative 4**. Therefore, **Alternative 2** would be expected to provide the least benefits to the physical environment under the assumption that an increase in ACL translates to increased bottom-impacting gear use. For St. Thomas/St. John, the ACL under **Alternative 2** would be 243 lbs less than the ACL under **Alternative 1**, and 6,648 lbs greater than the ACL under **Preferred Alternative 3** and 13,296 lbs greater than the ACL under **Alternative 4**. For St. Thomas/St. John, **Alternative 1** would be expected to provide the least benefits to the physical environment, followed in order by **Preferred Alternative 2**, then **Alternative 3**, and lastly **Alternative 4**.

Table 4.1. Summary of benefits to the physical environment.

FMP	Greatest (fewer gear/bottom interactions)			Least (more gear/bottom interactions)
St. Croix	Alternative 1	Alternative 4	Alternative 3 (Preferred)	Alternative 2
St. Thomas/St. John	Alternative 4	Alternative 3	Alternative 2 (Preferred)	Alternative 1

Under the analysis above, which assumes lower ACLs result in greater physical benefits through reduced effort, those benefits could be lessened if fishermen continue to harvest other species using the same gear types, or shift effort into state waters where ACLs are not applicable. For St. Croix, the effects to the physical environment from this action are expected to be minimal even though the ACLs are increasing due to the primary methods used to harvest spiny lobster (i.e., diving) and because landings of spiny lobster in St. Croix continue to be at levels well below the current and proposed ACLs. For St. Thomas/St. John, the proposed ACLs are less than the current ACL for spiny lobster, and so physical effects are not expected to increase as a result of this action.

4.2 Effects on the Biological/Ecological Environment

Management actions that affect the biological and ecological environment mostly relate to the impacts of fishing on a species' population size, life history, and the role of the species within its habitat. Removal of the species from the population through fishing reduces the overall population size if total harvest is not maintained at sustainable levels. Indirect impacts of these alternatives on the biological environment would depend on the corresponding reduction or

increase in the level of fishing as a result of each alternative. Fishing gear types have different (1) selectivity patterns that are used to target and capture organisms by size and species, (2) number of discards, which are often sublegal sized individuals or species caught during seasonal closures, and (3) mortality rates associated with releasing the species.

As described in Chapter 3, spiny lobster are targeted by commercial and recreational fishermen. The majority of harvest in St. Croix occurs through diving methods and in St. Thomas/St. John via trap gear. For both islands, the SEDAR 91 stock assessments assume that the mortality of discarded lobster was minimal to none. Thus, the analysis below assumes that (1) harvest would be constrained to the ACLs and (2) the amount of harvest correlates to pressure on the population (e.g., changing ACLs changes the amount of fish that can be removed from the population).

Alternative 1 would not change harvest levels and thus would not result in effects to the spiny lobster populations around St. Croix or St. Thomas/St. John. **Alternative 2 (Preferred for St. Thomas/St. John), Alternative 3 (Preferred for St. Croix), and Alternative 4** would specify the same OFL and ABC values, which would increase above the baseline OFL and ABC values for St. Croix and decrease from the baseline values for St. Thomas/St. John. The SEDAR 91 assessment models created an understanding of the productivity of the spiny lobster stocks based on landings and length input data and produced OFL and ABC values that are designed to keep each stock most productive. The SEDAR 91 assessments are considered best scientific information available (BSIA). Setting management reference points consistent with BSIA ensures that federally managed stocks are harvested sustainably while protecting reproductive capacity and maintaining effective ecological contributions. Additionally, for St. Thomas/St. John, the ACL under **Alternative 1** (133,207 lbs) would be greater than the ABC recommended by the SSC that is based on SEDAR 91 (132,964 lbs), which violates the statutory mandate specified by the Magnuson-Stevens Fishery Conservation and Management Act.

For St. Croix, the ACL under **Alternative 2** would be 48,809 lbs greater than the ACL under **Alternative 1**, 9,303 lbs greater than the ACL under **Preferred Alternative 3**, and 18,606 lbs greater than the ACL under **Alternative 4**. For St. Thomas/St. John, the ACL under **Preferred Alternative 2** would be 243 lbs less than the baseline ACL, 6,648 lbs greater than the ACL under **Alternative 3**, and 13,296 lbs greater than the ACL under **Alternative 4**.

Any increases in ACLs under the proposed alternatives from the current level (i.e., **Alternative 1**), as seen for the alternatives proposed for St. Croix, would be expected to have short-term negative effects to the biological/ecological environment through increased removals, but long-term positive effects through the enhanced management to the updated maximum sustainable yield (i.e., fishing to levels that are based on the best scientific information). Conversely, decreases in harvest levels under the proposed alternatives from the current level, as seen for the alternatives proposed for St. Thomas/St. John, would be expected to have short-term positive

effects to the biological/ecological environment through decreased removals, and long-term positive effects through the enhanced management to the updated maximum sustainable yield.

Table 4.2. Summary of benefits to the biological environment.

FMP	Greatest (fewer lobster removed)			Least (more lobster removed)
St. Croix	Alternative 1	Alternative 4	Alternative 3 (Preferred)	Alternative 2
St. Thomas/St. John	Alternative 4	Alternative 3	Alternative 2 (Preferred)	Alternative 1

Any biological/ecological effects from this action are not expected to be significant because the overall operation of the St. Croix and St. Thomas/St. John fisheries that target spiny lobster is not expected to change (i.e., fishermen are not likely to increase fishing effort or change their fishing methods). For this same reason, no additional impacts to Endangered Species Act-listed species or designated critical habitat, or other non-targeted species, are anticipated as a result of this action.

4.3 Effects on the Economic Environment

Management actions that alter existing fishery conditions generate a range of economic effects, which can be understood in terms of their direct and indirect impacts on sectors that depend on marine resources. When managers implement measures that deviate from the status quo, the most immediate consequences fall on commercial fishermen, recreational fishermen, and others who benefit from healthy and sustainable fisheries.

Direct effects occur within the fishing sectors themselves. For commercial fishermen, these effects typically appear as changes in harvest levels—such as shifts in catch per trip—that translate into changes in revenues and profitability. For recreational fishermen, direct effects are reflected in changes in catch rates and opportunities, which can influence angler satisfaction and, over time, affect overall fishing effort, including the number of trips taken.

Indirect effects arise as these primary changes ripple through the broader economy. Adjustments in commercial or recreational activity influence supporting industries such as bait and tackle suppliers, marinas, charter operations, and wholesale or retail businesses that depend on fishing-related demand. These secondary impacts result not from the management action itself, but from the behavioral and economic responses of the directly affected sectors. Indirect effects can also stem from changes in the resource or stock—for example, increased biomass resulting

from greater protection—which may lead to future changes in catch levels, profits, and angler satisfaction.

Action 1: Update St. Croix Spiny Lobster Reference Points

The St. Croix spiny lobster fishery has shown moderate fluctuations in annual landings over the past five years, but harvest levels remain far below the status quo ACL, indicating that current fleet capacity operates with a substantial buffer. Landings ranged from 22,312 lbs in 2020 to 43,733 lbs in 2023, with 36,407 lbs in 2024, only slightly above the five-year average of 34,402 lbs. Relative to the no-action ACL of 137,254 lbs, recent landings represent roughly 16–32% of the allowable harvest. Even under the highest-yield year in this period, the fleet utilized less than one-third of the available ACL, underscoring that current capacity remains well below the thresholds established under all action alternatives.

Alternative 1 (No Action) maintains the current ACL of 137,254 lbs. Because no regulatory change is implemented, this alternative produces no direct economic effects. The fleet would continue operating under the same harvest limit and management structure already in place, and no new compliance costs or administrative adjustments would be required. However, the indirect economic effects of **Alternative 1** could be important over the long term. By retaining an ACL that does not incorporate the updated biomass estimates from SEDAR 91, the fishery remains constrained below the stock’s actual productive capacity. This creates unrealized latent capacity, limiting the theoretical harvest and revenue that could be sustainably realized.

The recent five-year average landings (approximately 34,092 lbs) are only a quarter of the current ACL, highlighting the fleet’s significant underutilization of the limit. While this means the ACL is not binding in the short term, it also underscores that the no action alternative provides less room for future growth or recovery of the fleet relative to **Alternatives 2-4**. As fishing effort increases or as new entrants join the fishery, the outdated ACL could become restrictive sooner than expected. The indirect effect of continuing to rely on outdated scientific information is therefore a persistent loss of future opportunity for the fleet and the broader St. Croix fishing economy. Under **Alternative 1**, the theoretical potential annual revenue is approximately \$1.51 million, which serves as the baseline for evaluating the economic gains associated with the action alternatives. Table 4.3 summarizes the differences in ACLs and potential revenues across alternatives.

Table 4.3. Comparison of annual catch limits and potential revenue for St. Croix spiny lobster.

Alternative	ACL	Proxy Nominal Price (\$/lb) ^a	Potential Nominal Revenue (\$)	Incremental Nominal Revenue Gain Relative to Alt. 1 (\$)
Alt. 1 (no action)	137,254	11.00	1,509,794	—

Alternative	ACL	Proxy Nominal Price (\$/lb) ^a	Potential Nominal Revenue (\$)	Incremental Nominal Revenue Gain Relative to Alt. 1 (\$)
Alt. 2 (ACL=ABC)	186,063	11.00	2,046,693	536,899
Preferred Alt. 3 (ACL=ABC x 0.95)	176,760	11.00	1,944,360	434,566
Alt. 4 (ACL=ABC x 0.90)	167,457	11.00	1,842,027	332,233

^aA proxy price of \$11/lb is applied due to gaps in available price data, which prevent the development of a reliable price series for estimating economic impacts of ACL changes. Revenue values shown represent upper-bound theoretical estimates, assuming the fleet fully harvests the ACL.

Alternative 2 introduces a change to the regulatory ceiling; however, because current landings are well below the ACL, no immediate direct change in realized revenue is expected. This expansion of allowable harvest directly increases the potential revenue available to the fleet, raising the theoretical annual revenue to roughly \$2.05 million—an increase of \$536,899 relative to the no-action alternative. The contrast between this ACL and the recent 5-year average landings of approximately 34,092 lbs underscores that the fleet is currently operating far below even the no action ACL. In practical terms, the direct economic benefits of **Alternative 2** are largely forward-looking: it creates space for the fleet to grow, modernize, or recover without immediately encountering a binding harvest limit. The indirect effects, however, reflect the absence of a buffer. By setting the ACL equal to the ABC, **Alternative 2** provides no margin for management uncertainty such as late reporting, unreported harvest, or unexpected environmental variability. While this alternative maximizes short-term economic opportunity, it indirectly increases the risk of future management instability.

Preferred Alternative 3 produces a more moderate potential direct economic effect by setting the ACL at 176,760 lbs, incorporating a 5% buffer below the ABC. This still represents a significant increase over the no action alternative, with potential annual revenue estimated at \$1.94 million—an increase of \$434,566 relative to **Alternative 1**. As with **Alternative 2**, the 5-year average landings of 34,092 lbs indicate that the fleet is unlikely to reach this ACL in the near term. The direct effect of **Preferred Alternative 3** is therefore similar in nature to **Alternative 2**: it provides economic breathing room rather than an immediately binding harvest opportunity. The indirect effects of **Preferred Alternative 3** reflect the trade-off inherent in applying a buffer. On one hand, the buffer reduces the risk of overages and overfishing and helps stabilize long-term harvest levels, providing a precautionary benefit that supports stock resilience and reduces the likelihood of disruptive management actions. On the other hand, the buffer introduces a modest level of regulatory drag by intentionally leaving some potential harvest unutilized. This is the economic cost of precaution: a small, predictable reduction in potential revenue in exchange for greater long-term stability.

Alternative 4 has the most conservative potential direct economic effect among the action alternatives, setting the ACL at 167,457 lbs, which yields a potential annual revenue of approximately \$1.84 million. This represents a potential increase of \$332,233 relative to the no action alternative, but is lower than the revenue potential under **Alternative 2** and **Preferred Alternative 3**.

Again, when compared to the 5-year average landings of 34,092 lbs, the ACL under **Alternative 4** remains far above current harvest levels. The direct economic effect is therefore not an immediate constraint but rather a more cautious expansion of allowable harvest. The indirect effects of **Alternative 4** are the strongest in terms of precaution. By applying a 10% buffer, this alternative provides the greatest protection against management uncertainty and environmental shocks. This reduces the likelihood of future overages and emergency management actions, offering long-term stability for both the stock and the fishery. However, the indirect economic cost is the highest level of regulatory drag among the action alternatives, as more potential harvest is intentionally left in the water to safeguard the resource.

Across the four alternatives, the pattern is straightforward. **Alternative 1** produces no direct economic change but carries meaningful indirect costs because it relies on outdated science and perpetuates regulatory drag. **Alternative 2** delivers the strongest potential direct economic gains by maximizing the ACL, yet its lack of a buffer introduces indirect risks tied to management uncertainty. **Preferred Alternative 3** strikes a middle ground, offering solid potential direct benefits while also generating indirect advantages through a modest precautionary buffer. **Alternative 4** provides the greatest indirect protection for the stock but yields the smallest direct potential economic gain among the action alternatives.

Action 2: Update St. Thomas and St. John Spiny Lobster Reference Points

The St. Thomas and St. John spiny lobster fishery landing volumes are very close to the proposed ACLs, and recent data highlight how tight this relationship has become. In 2024, lobster landings reached 125,177 lbs—well above the 5-year average of 109,814 lbs—indicating that the fleet has expanded its productive capacity in recent years. Because the proposed ACLs lie only slightly above, or in some cases below, this recent performance, the direct economic effects of the action alternatives are more immediate and potentially more constraining than those observed in St. Croix. These landings, however, also demonstrate that the St. Thomas and St. John spiny lobster fishery is successfully optimizing its yield by operating near the maximum sustainable harvest levels.

Alternative 1 (No Action) maintains the ACL at 133,207 lbs, which remains above both the 2024 landings (125,177 lbs) and the 5-year average (109,814 lbs). Directly, this means no change to the economic environment: the fleet would continue to operate with the greatest

possible flexibility, and no short-term contraction in harvest opportunity occurs. Indirectly, however, the no action alternative preserves the risks associated with relying on outdated scientific information. Without incorporating the updated SEDAR 91 assessment, the fishery remains vulnerable to a future “regulatory shock” if the stock is later found to be less productive than assumed. Such a correction could require a sudden, steep ACL reduction, destabilizing income and market continuity for St. Thomas and St. John fishers.

The proposed management changes in **Alternatives 2–4** introduce progressively larger management buffers between the ABC and ACL. Because the management buffer reduces the ACL, larger buffers increase the likelihood of exceeding the ACL when landings are high or variable. This effect is amplified by the limited operational margin between recent landings and the proposed ACLs, which leaves the fishery more vulnerable to environmental shocks, such as hurricanes, that can temporarily depress stock abundance or disrupt fishing effort. If such an event occurs during a period of high landings, the probability of triggering accountability measures (AMs) increases, potentially intensifying economic disruption. Table 4.4 summarizes the differences in ACLs and potential revenues across alternatives.

Table 4.4. Comparison of annual catch limits and potential revenue for St. Thomas and St. John spiny lobster.

Alternative	ACL (lbs)	Nominal Proxy Price (\$/lb)	Difference vs 2024 Landings (lbs)	Difference vs 5-Year Avg. (lbs)	Incremental Nominal Revenue Loss Relative to Alt. 1 (\$)
Alt 1 (no action)	133,207	11.00	+8,030	23,393	—
Preferred Alt 2 (ACL= 100% ABC)	132,964	11.00	+7,787	23,150	(2,673)
Alt 3 (ACL= 0.95% ABC)	126,316	11.00	+1,139	16,502	(75,801)
Alt 4 (ACL= 90% ABC)	119,668	11.00	(5,509)	9,854	(148,929)

^aA proxy price of \$11/lb is applied due to gaps in available price data, which prevent the development of a reliable price series for estimating economic impacts of ACL changes. Revenue values shown represent upper-bound theoretical estimates, assuming the fleet fully harvests the ACL.

Preferred Alternative 2 sets the ACL at 132,964 lbs, a level that is almost equal to the status quo. Direct economic effects are minimal: the ACL remains 7,787 lbs above 2024 landings and 23,150 lbs above the 5-year average, preserving a modest operational margin. Indirectly, **Preferred Alternative 2** carries elevated overfishing risk because it applies no management uncertainty buffer, and elevated AM-closure risk because the ACL sits very close to the level of recent landings. If the upward trend observed between 2023 and 2024 continues, increases in effort or catchability could result in exceeding the ACL and the ABC. The absence of a

management uncertainty buffer leaves little room for natural variability, and the lack of complementary effort controls allows landings to rise quickly when economic or environmental conditions shift. These factors heighten the risk of exceeding the OFL. But compared to the other action alternatives, **Preferred Alternative 2** presents the lowest probability of an AM closure, which would shorten the fishing season and disrupt the supply of fresh lobster to local restaurants and hotels, creating broader economic ripple effects.

Alternative 3 applies a 5% management uncertainty buffer, reducing the ACL to 126,316 lbs. Relative to **Alternative 1**, this represents a reduction of 6,891 lbs and an upper-bound potential revenue loss of \$75,801 if the fleet were able to fully harvest the status-quo ACL. However, because 2024 landings were 125,177 lbs, the ACL under **Alternative 3** remains 1,139 lbs above recent performance and 16,502 lbs above the five-year average. In the short term, this means the ACL would not constrain landings if current harvest levels persist. Indirectly, **Alternative 3** provides moderate biological precaution through the management uncertainty buffer, but it also reduces the operational margin relative to **Preferred Alternative 2**. This means that if landings continue to rise—as they did between 2023 and 2024—the fleet would reach the ACL sooner under **Alternative 3** than under **Preferred Alternative 2**, increasing AM-closure risk in the medium term. The management uncertainty buffer protects against exceeding the ABC, but the smaller ACL reduces the fishery’s ability to absorb environmental shocks or short-term increases in catchability without triggering AMs. As a result, **Alternative 3** offers a balanced but somewhat tighter regulatory environment, signaling that the fishery may be approaching its maximum sustainable economic capacity under updated scientific guidance.

Alternative 4 applies the largest management uncertainty buffer (10%), reducing the ACL to 119,668 lbs. This is the only alternative with an ACL below the 2024 landings, creating an immediate negative operational margin of 5,509 lbs. This represents an estimated revenue loss of approximately \$60,599 relative to 2024 landings, and an upper-bound loss of \$148,929 relative to the status-quo ACL. Indirectly, **Alternative 4** imposes the greatest regulatory constraint. Because the ACL is already below recent landings, an AM closure would be likely unless landings decline. The lack of an operational margin leaves even less capacity to absorb environmental or economic shocks, such as hurricanes, habitat damage, or temporary declines in catchability, making repeated AM closures more likely. Such closures would disrupt the local fresh-lobster market, forcing restaurants and vendors to rely more heavily on imported frozen products and increasing economic instability for the fleet and supply chain.

Across the four alternatives, a clear pattern emerges. **Alternative 1** produces no direct economic change but carries indirect risks because it relies on outdated science and leaves the fishery exposed to regulatory shocks and hurricane-driven variability. **Preferred Alternative 2** maintains similar direct opportunity to the status quo, but its lack of a management uncertainty buffer and narrow operational margin heighten the chance of exceeding the ABC and OFL if

landings rise. **Alternative 3** introduces a moderate management uncertainty buffer, improving biological precaution, but reducing the operational margin and increasing AM-closure risk if landings continue to grow. **Alternative 4** provides the strongest biological precaution but imposes the most restrictive direct economic effect and the highest likelihood of AM closures, placing pressure on the local fresh-market supply chain.

4.4 Effects on the Social Environment

This sub-section analyzes the potential *social effects* of the proposed management action, which are defined as those that positively or negatively affect fishers through an increase or loss in fishing opportunity. Examples of social effects associated with proposed regulatory changes include, but are not limited to: (a) access to seafood for consumption by individuals, families, and communities; (b) access to seafood for customary or traditional uses such as extended family settings or community celebrations; (c) the ability to practice one's profession or hobby on the ocean; (d) the ability to learn and share traditional or local knowledge related to fishing; and (e) the ability to develop and maintain relationships within social networks of fishery participants. Positive and negative social effects potentially associated with the actions described in this action are most likely to occur in island areas where residents are most extensively engaged in harvest of spiny lobster, as discussed in Section 3.4.

For both St. Croix and St. Thomas/St. John, **Alternative 1** would not change the current management measures and would thereby retain the current OFLs, ABCs, and ACLs for spiny lobster (see Tables 2.1 and 2.2). As such, management of the spiny lobster stocks would not be based on the best available scientific information (i.e., SEDAR 91). Maintaining the status quo harvest levels would have limited to no social effects in the near-term, but would not provide the social benefits associated with up-to-date scientific information.

In general, setting a higher ACL could result in more fishing opportunities, increasing the social benefits associated with income and trip satisfaction. Additionally, setting higher ACLs could lower the chance of triggering an AM-based closure. The AM-based closures, if applicable, would be expected to increase the negative social effects to commercial and recreational fishers through reduced fishing opportunities.

For St. Croix, **Alternatives 2-4** would result in an increase in the spiny lobster ACL. Based on recent landings data, spiny lobster landings in St. Croix are less than half of their current ACL (137,254 lbs) and thus the increased ACL under **Preferred Alternative 3** (176,760 lbs) would have no impact on the fishery, as long as fishing effort and efficiency remains the same. Currently, some St. Croix fishers are taking advantage of demand from St. Thomas/St. John and filling orders for lobster that are not met by St. Thomas/St. John fishermen. The ACL increase could create an expansion of the island to island export market, which may encourage more St. Croix fishers to target lobster in order to accommodate the St Thomas/St. John demand.

For St. Thomas/St. John fishers, recent landings data suggest that fishermen are catching lobster at or near the current ACL, meaning a decrease in ACL would limit their ability to maintain or increase effort, which would decrease total revenue potential for the lobster fishery participants. In addition, it may increase the demand to transport lobster from St. Croix, thus potentially increasing effort and revenue for the St. Croix fishers. A decrease in the ACL potentially forces implementation of a future closure in federal waters, which reduces their ability to utilize more area to target lobster because fishing for lobster would be restricted to territorial waters during a closure. A decrease in the ACL may lead to less revenue and not allow fishers to meet the demand from the service and tourism industries.

For St. Thomas/St. John, **Preferred Alternative 2** would set an ACL that is 243 lbs less than the current ACL of 133,207 lbs. A reduction in the lobster ACL would have a negative impact that would be more focused on the relationship between local fishers and management than economics. The 243-lb reduction could be an approximate loss of revenue of \$2,500 to \$3,500 to the fishers (see Table 4.4). This would create concern for the fishers who perceive the lobster fishery to be healthy and would potentially place fishers in opposition of management over a perceived unnecessary management action.

The short term impact of a closure could impact where fishing pressure is physically displaced from federal waters to territorial waters. This could create an increase in competition for space and species. It could also create a period of time where inshore lobster are increasingly impacted by fishing effort in order to accommodate the continued demand of the service industry and tourism demand, especially if the closures occur during the high season for tourism. This might lead to increased reliance on imports from internal and external regional sources.

For St. Thomas/St. John, **Alternative 3** would set an ACL that is 6,891 lbs less than the current ACL, and 1,139 lbs greater than the landings of spiny lobster reported in 2024. If fishers desire to land more lobster than they have in recent years, the ACL reduction under **Alternative 3** could negatively impact the fishery and disproportionately impact certain fishing enterprises. The potential loss of \$68,000 to \$85,000 (see Table 4.4) in revenue could negatively impact individuals and households and also trigger future a AM-based closure in federal waters that would be implemented earlier in the year and last longer (as compared to **Preferred Alternative 2**). Depending on the time of year for closure implementation, fishers would be negatively impacted due to their inability to utilize federal waters to provide lobster to the service and tourism industries. From a spatial standpoint, it would place more pressure on limited inshore/territorial waters and potentially create user or fishing sector conflict based on displacement and competition in limited space. There is a financial cost associated with removing and relocating gear from federal waters to territorial areas or placing new gear in these

inshore areas related to both the increased price of materials and fuel in addition to the wear and tear on the vessel and motor.

For St. Thomas/St. John, **Alternative 4** would be the largest reduction to the ACL of the proposed alternatives. The economic loss would impact the fishery as a whole and the subsequent AM-based closures to commercial fishing in federal waters would potentially increase pressure on territorial fishing for lobster and increase the potential for spatial conflicts. The AM-based closure would likely start earlier in the calendar year and last longer, which could impact lobster fishing during the high season for tourism. This impact could force fishermen to shift fishing pressure in spatially-limited territorial waters and potentially rely on lobster from St. Croix and perhaps imports from outside of the U.S. Caribbean region (from both U.S. and Latin American countries). The cost of moving traps to territorial waters during an AM-based closure would also be an added cost associated with the closure. In addition, if this alternative is selected, the relationship between fishermen and managers/scientists would likely be strained due to the fact that the fishermen perceive the fishery to be healthy with no rationale for a decrease in landings in federal waters.

4.5 Effects on the Administrative Environment

Updating management reference points including the OFLs, ABCs, and ACLs does not typically result in substantial effects on the administrative environment. **Alternative 1** is not expected to impact the administrative environment because it would not change the current management reference points. **Alternative 2** (Preferred for St. Thomas/St. John), **Alternative 3** (Preferred for St. Croix), and **Alternative 4** would equally result in a short-term increased burden on the administrative environment through the need to take administrative action to specify new OFLs, ABCs, and ACLs, the required rulemaking to implement this management change, and through additional outreach efforts to notify stakeholders of the changes to harvest levels. Once the changes to catch levels are implemented, the type of regulations needed to manage the fisheries that target spiny lobster would remain unchanged, regardless of the harvest levels set. For St. Thomas/St. John, the lower ACLs under **Alternatives 2-4** could result in the AM being triggered and applied more frequently, which would impose more of an administrative burden in the event that occurred.

4.6 Cumulative Effects Analysis (CEA)

Federal agencies preparing an environmental assessment (EA) could consider cumulative effects of a proposed action and other actions. Cumulative effects are those effects that result from incremental impacts of a proposed action when added to other past, present, and reasonably foreseeable future actions, regardless of which agency (federal or non-federal) or person undertakes such actions. Cumulative effects can result from individually minor but collectively

significant actions that take place over a period of time. Below is the five-step cumulative effects analysis that identifies criteria that could be considered in an EA.

1. The area in which the effects of the proposed action would occur – The affected area of this proposed action encompasses the state (i.e., territorial) and federal waters of the U.S. Caribbean and includes the communities of St. Croix, St. Thomas, and St. John that fish for spiny lobster. For more information about the area in which the effects of this proposed action will occur, please see Chapter 3, Affected Environment, which describes these resources as well as other relevant features of the human environment.

2. The impacts that are expected in the area affected by the proposed action – The proposed action would update management reference points for spiny lobster, including ACLs, under the St. Croix FMP and the St. Thomas/St. John FMP based on the 2025 Southeast Data, Assessment, and Review (SEDAR) 91 spiny lobster stock assessments. The environmental consequences of the proposed action are analyzed in Sections 4.1 - 4.5. Overall, this action is not expected to have significant beneficial or adverse cumulative effects on the physical, biological/ecological, social, or economic environments (Sections 4.1-4.4), because the action is not expected to alter how the spiny lobster fisheries in St. Croix or St. Thomas/St. John as a whole operate. Additionally, updating management reference points is generally not expected to substantially affect the administrative environment (Section 4.5), because once the changes are implemented, the type of regulations needed to manage the fisheries that target spiny lobster would remain unchanged.

For St. Croix, little to no effects to the physical, biological, economic, or social environments (Sections 4.1-4.4) are expected from the ACL increases under the proposed alternatives because recent landings of spiny lobster (see Table 3.1) have been well below both the baseline and the proposed ACLs (see Table 2.1), and fishing effort will likely remain at these levels. Although recent landings of spiny lobster in St. Thomas/St. John have increased (see Table 3.9), they are still less than the current ACL (137,254 lbs) and the ACL for two of the three proposed alternatives (see Table 2.2). Minimal effects to the biological/ecological (positive) and socio-economic (negative) environments could occur if the more restrictive ACL is selected (Alternative 4) and if future landings continue at or increase above the 2024 level.

Generally updating management reference points to reflect the best scientific information available (i.e., an accepted stock assessment) would provide long-term biological, ecological, economic, and social benefits. These updates prevent overfishing while achieving optimum yield, providing long-term use of the resource. Although adjustments may cause short-term negative economic and social effects, the multi-species aspect of the St. Croix and St. Thomas/St. John fisheries allows fishers to mitigate the effects by shifting effort to other species or into territorial waters.

3. Other past, present and reasonably foreseeable future actions that have or are expected to have impacts in the affected area

Other fishery related actions –When the St. Croix and St. Thomas/St. John FMPs were implemented in 2022, spiny lobster management relied on measures such as size limits, recreational bag limits, and reference points specified using Tier 4 (data limited with no accepted assessment) of the ABC control rule. Since then, Framework Amendments 1 and 2, implemented in 2023 and 2024, respectively, updated the management reference points for spiny lobster using Tier 3 of the ABC control rule. While still considered to be data limited, Tier 3 relies on an accepted stock assessment (e.g., SEDAR 57 and the SEDAR 57 update).

The Council is developing an action to revise the list of stocks managed under the FMPs, removing those that are no longer in need of conservation and management or reclassifying some as ecosystem component species. It is too early in the process to know if spiny lobster in St. Croix or St. Thomas/St. John would fall into either of those categories. If the spiny lobster stocks remain managed under the FMPs, then no impacts would be expected. If either stock is removed or reclassified, then the impacts are unknown at this time.

NMFS and the Council are participating in SEDAR 103, which aims to develop and apply alternate assessment methods for species managed under the Puerto Rico, St. Croix, and St. Thomas/St. John FMPs. A Development Workshop is scheduled for August 2026, and will be followed by a series of application webinars (November 2026 through March 2027) and a Review Workshop (Spring 2027). Again, it is not known at this time if the results of this SEDAR would be applicable to spiny lobster, but it is possible that enhanced stock assessment methods could benefit management of lobster under each FMP.

Non-fishery related actions – Actions affecting the St. Croix and St. Thomas/St. John fisheries have been described in previous cumulative effect analyses (CFMC 2019a, b; CFMC 2022; CFMC 2023). Important events include impacts from the 2017 hurricane season, and the COVID-19 pandemic in 2020, as described in Section 3.3.

4. The impacts or expected impacts from these other actions – The cumulative effects analysis (CEA) in the framework amendments found that setting management reference points based on best scientific information available would be expected to provide increased long-term benefits through the increased conservation of the stocks, and would have minimal-to-no negative effects. The effects of these previous actions and this action would be expected to be positive in the long-term, as they ultimately act to maintain the spiny lobster stocks at a level that would allow the maximum benefits in yield and increased fishing opportunities to be achieved. Minimal short-term negative impacts on the social and economic environments could occur if future AM-based closures are implemented relative to any decreases in the spiny lobster ACLs. Negative impacts would be expected from future tropical events, or other events that reduce

tourism (e.g., Sargassum inundation), but the magnitude or frequency of those events are difficult to predict.

5. The overall impact that can be expected if the individual impacts are allowed to accumulate – Cumulative effects resulting from the revision of spiny lobster management reference points, in combination with other past, present, and reasonably foreseeable future actions, would be expected to be minimal in each island-management area. Some minor short-term negative effects to the social and economic environments could result from the decrease in ACLs (St. Thomas/St. John only) and any increase in associated AM closures, although long-term positive effects would be expected through the increased conservation and continued access to the spiny lobster stocks.

No significant overall impacts to the biological/ecological environment, protected species occurring within that environment, the habitats constituting and supporting that environment, or the dependent socio-economic environment would be expected from the cumulative past, present, or reasonably foreseeable future actions as they are not expected to affect current fishing practices (i.e., U.S. Caribbean fisheries would continue to target multiple species using multiple gear types). Similarly, no significant cumulative effects are expected to result from reasonably foreseeable future actions that may be taken in combination with this action.

Chapter 5. Regulatory Impact Review

5.1. Introduction

The National Marine Fisheries Service (NMFS) requires a Regulatory Impact Review (RIR) for all regulatory actions that are of public interest. The RIR does three things: (1) it provides a comprehensive review of the level and incidence of impacts associated with a proposed or final regulatory action; (2) it provides a review of the problems and policy objectives promoting the regulatory proposals and an evaluation of the major alternatives that could be used to solve the problem; and (3) it ensures that the regulatory agency systematically and comprehensively considers all available alternatives so that the public welfare can be enhanced in the most efficient and cost-effective way.

The RIR also serves as the basis for determining whether the regulations are a “significant regulatory action” under the criteria provided in Executive Order (E.O.) 12866. This RIR analyzes the impacts this framework action would be expected to have on the spiny lobster fisheries of St. Croix and St. Thomas/St. John in the U.S. Caribbean.

5.2. Problems and Objectives

The problems and objectives addressed by this action are discussed in Section 1.2. In summary, there is an immediate need to update spiny lobster catch limits to prevent statutory conflicts with newly available biological advice (SEDAR 91). The objective is to align management limits with the best scientific information available to ensure long-term stock sustainability while optimizing socio-economic yields for the regional fleet.

5.3. Description of the Fishery

A comprehensive description of the U.S. Caribbean spiny lobster fisheries is provided in Sections 3.3–3.5, which cover the economic, social and administrative environments.

5.4. Impacts of Management Measures

5.4.1 Action 1: Update St. Croix Spiny Lobster Reference Points

A detailed analysis of the expected economic effects from this action is provided in Section 4.3. The following discussion summarizes the expected economic effects and impacts of the preferred alternative relative to the No Action alternative (**Alternative 1**), as based on a proxy nominal price for spiny lobster of \$11.00/pound (lb).

The Crucian spiny lobster fishery exhibits substantial under-utilization of the status quo annual catch limit (ACL), with recent annual and five-year average landings reaching only 16%–32% of that limit. Because the fleet is harvesting well below the existing status quo ACL and **Preferred Alternative 3** would increase that limit. None of the proposed actions are expected to generate immediate changes in ex-vessel revenues or short-term fleet behavior. The fishery is composed entirely of small business operators, which frames the scale of potential economic effects.

Preferred Alternative 3 revises the ACL to 176,760 lbs based on the best available scientific information from the SEDAR 91 stock assessment and expands the maximum theoretical gross nominal revenue capacity to \$1,944,360 relative to **Alternative 1** (No Action). By implementing a 5% management uncertainty buffer below the allowable biological catch (ABC), this preferred alternative balances long-term stock stabilization with economic opportunity and may help reduce the likelihood of premature accountability measure (AM) closures, which can disproportionately affect small entities in this fishery.

5.4.2 Action 2: Update St. Thomas and St. John Spiny Lobster Reference Points

A detailed analysis of the expected economic effects from this action is provided in Section 4.3. The following discussion summarizes the expected economic effects and impacts of the preferred alternative relative to the No Action alternative (**Alternative 1**), as based on a proxy nominal price for spiny lobster of \$11.00/lb.

Unlike the St. Croix fishery, where landings fall well below the ACL, the St. Thomas/St. John fleet operates very close to the harvest ceiling under both the status quo ACL of 133,207 lbs and the ACL under the preferred alternative (**Alternative 2**) of 132,964 lbs. In 2024, landings reached 125,177 lbs, compared to a five-year average of 109,814 lbs, meaning that changes to the ACL have immediate and measurable economic implications for small business operators in this fishery.

Preferred Alternative 2 establishes the ACL at 132,964 lbs, equal to 100% of the SSC-recommended ABC. This represents a minimal theoretical annual revenue reduction of \$2,673 relative to **Alternative 1** (No Action) and maintains a 7,787 lbs operational margin above 2024 landings. As a result, **Preferred Alternative 2** is not expected to generate short-term direct economic effects if landings remain at recent levels. However, because it applies no management uncertainty buffer, this alternative increases the probability of exceeding the ABC and the ACL, which would trigger an AM closure if landings continue their upward trend. An AM closure would shorten the fishing season and disrupt supply chains serving tourists, which rely on consistent availability of locally harvested lobster.

Overall, **Preferred Alternative 2** provides a balanced approach to conservation. It minimizes short-term economic impacts while aligning the ACL with the best scientific information available.

In conclusion, by updating the U.S. Caribbean spiny lobster reference points to reflect the best scientific information available (SEDAR 91), the preferred alternatives maximize long-term biological stability while securing sustainable economic opportunities for the U.S. Caribbean fishing sector, thereby optimizing net benefits to the Nation. For St. Croix, **Preferred Alternative 3** provides operational space for small business expansion while mitigating management risk via a 5% safety buffer. For St. Thomas/St. John, **Preferred Alternative 2** aligns catch boundaries with statutory mandates under the Magnuson-Stevens Act with negligible immediate financial disruption to the active fleet, successfully avoiding premature economic losses associated with a more severe quota contraction.

5.5. Public Costs of Regulations

The preparation, implementation, enforcement, and monitoring of this or any federal action involves the expenditure of public and private resources, which can be expressed as costs associated with the regulations. Costs to the private sector and program-related administrative costs to NMFS are discussed in the effects of management measures. Public costs associated with the development of this action, including Council costs of document preparation, meetings, public hearings, and information dissemination, as well as NMFS administrative costs of document preparation, meetings and review, are treated as sunk costs and excluded from this analysis per Office of Management and Budget guidance. Council and NMFS administrative costs directly attributable to the development of this amendment and the rulemaking process would be incurred prior to the effective date of the final rule implementing this amendment. Additionally, this analysis does not include any additional law enforcement costs. Any enforcement duties associated with this action would be expected to be covered under routine enforcement costs rather than an expenditure of new funds.

5.6. Determination of Significant Regulatory Action

Pursuant to E.O. 12866, a regulation is considered a “significant regulatory action” if it is likely to result in: (1) an annual effect of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights or obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in this E.O.

Based on the information provided above, the localized revenue shifts resulting from these updated limits fall far below the \$100 million threshold. Therefore, this action has been determined to not be economically significant for the purposes of E.O. 12866.

Chapter 6. Regulatory Flexibility Act Analysis

6.1. Introduction

The purpose of the Regulatory Flexibility Act (RFA) is to establish a principle of regulatory issuance that agencies shall endeavor, consistent with the objectives of the rule and of applicable statutes, to fit regulatory and informational requirements to the scale of businesses, organizations, and governmental jurisdictions subject to regulation. To achieve this principle, agencies are required to solicit and consider flexible regulatory proposals and to explain the rationale for their actions to assure such proposals are given serious consideration. The RFA does not contain any decision criteria; instead the purpose of the RFA is to inform the agency, as well as the public, of the expected economic effects of various alternatives contained in the regulatory action and to ensure the agency considers alternatives that minimize the expected economic effects on small entities while meeting the goals and objectives of the Fishery Management Plans (FMP) and applicable statutes (e.g., the Magnuson-Stevens Fishery Conservation and Management Act [Magnuson-Stevens Act]).

With certain exceptions, the RFA requires agencies to conduct an initial regulatory flexibility analysis (IRFA) for each proposed rule. The IRFA is designed to assess the impacts various regulatory alternatives would have on small entities, including small businesses, and to determine ways to minimize those impacts. An IRFA is primarily conducted to determine whether the proposed action would have a significant economic impact on a substantial number of small entities. The IRFA provides: (1) a description of the reasons why action by the agency is being considered; (2) a succinct statement of the objectives of, and legal basis for, the proposed rule; (3) a description and, where feasible, an estimate of the number of small entities to which the proposed rule will apply; (4) a description of the projected reporting, record-keeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities that will be subject to the requirements of the report or record; (5) an identification, to the extent practicable, of all relevant federal rules, which may duplicate, overlap, or conflict with the proposed rule; (6) a description and estimate of the expected economic impacts on small entities; and (7) a description of the significant alternatives to the proposed rule and discussion of how the alternatives attempt to minimize economic impacts on small entities.

6.2. Statement of the Need for, Objectives of, and Legal Basis for the Proposed Action

The proposed action is needed to ensure that management of the Caribbean spiny lobster fishery under the St. Croix and St. Thomas/St. John FMPs remains consistent with the best scientific information available (see, Sections 1.2 and 1.3). The SEDAR 91 stock assessments provided

updated estimates of stock status, biological reference points, and catch limits for both island management units. The Caribbean Fishery Management Council's (Council) Scientific and Statistical Committee (SSC) reviewed these assessments and recommended updated acceptable biological catch (ABC) levels based on the Council's established risk policy and scientific uncertainty parameters.

Because the updated assessments indicate revised values for maximum sustainable yield proxies, fishing mortality thresholds, and biomass-based reference points, the Council must update the status determination criteria and management reference points to prevent overfishing and ensure sustainable harvest. This action is necessary to maintain compliance with the Magnuson-Stevens Act, which requires conservation and management measures to be based on the best scientific information available and to achieve optimum yield from federally managed fisheries.

The objectives of this framework action include updating management reference points for spiny lobster in the St. Croix and St. Thomas/St. John management units to reflect the results of the SEDAR 91 stock assessments; revising status determination criteria, including maximum fishing mortality thresholds and minimum stock size thresholds, consistent with the updated scientific information; and implementing updated ABCs recommended by the SSC and annual catch limits (ACL) recommended by the Council to ensure catch limits are aligned with current stock conditions.

The legal authority for this action is found in the Magnuson-Stevens Act (16 U.S.C. 1801 et seq.), which requires, among other things, that conservation and management measures prevent overfishing while achieving optimum yield (National Standard 1); that management decisions be based on the best scientific information available (National Standard 2); that fishery management plans establish objective and measurable criteria for identifying when a stock is overfished or subject to overfishing; and that ACLs and accountability measures (AM) be implemented to prevent overfishing.

6.3. Description and Estimate of the Number of Small Entities to Which the Proposed Action Would Apply

The proposed action would apply to commercial fishing businesses that harvest Caribbean spiny lobster in federal waters under the St. Croix and St. Thomas/St. John FMPs. Recreational fishermen are not considered small entities as defined in 5 U.S.C. 601(6), regardless of whether they fish from private, leased, or for-hire vessels. No recreational landings data for spiny lobster are collected in the U.S. Caribbean; therefore, recreational anglers are not directly assessed in this analysis.

Over the 2020–2024 period, the number of commercial fishers reporting spiny lobster landings averaged 30 fishers in St. Croix and 37 fishers in St. Thomas/St. John. These values indicate stable participation across years, with slightly higher levels of activity in St. Thomas/St. John compared to St. Croix.

Recent fishery-wide revenue estimates for the U.S. Virgin Islands (USVI) are limited due to incomplete price data for several years. However, broad historical estimates suggest that the USVI commercial fishery as a whole has generated on the order of \$5–6 million annually in past years. This figure is presented only as a general indicator of scale and should not be interpreted as a precise current valuation.

The estimated average annual revenue earned by fishers landing spiny lobster in St. Croix is approximately \$54,325 (2024=100) per fisher. Of this total, about 58% is derived directly from spiny lobster landings.

By contrast, fishers operating in St. Thomas/St. John earn an average of \$67,607 (2024=100) per fisher annually from all landings, with approximately 72% of that revenue coming specifically from spiny lobster.

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR § 200.2). A business primarily engaged in commercial fishing (North American Industry Classification System code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of \$11 million for all its affiliated operations worldwide. Based on available information, all commercial fishing businesses in St. Croix and St. Thomas/St. John meet this definition and are therefore classified as small entities.

6.4. Description of the Projected Reporting, Record-Keeping, and Other Compliance Requirements

This proposed regulatory action would not impose any new reporting, record-keeping, or other compliance requirements on any small commercial fishing businesses.

6.5. Identification of All Relevant Federal Rules Which May Duplicate, Overlap, or Conflict with the Proposed Action

No duplicative, overlapping, or conflicting federal rules have been identified.

6.6. Significance of Economic Impacts on a Substantial Number of Small Entities

Substantial Number Criterion

Across the USVI from 2020–2024, 42–48% of all commercial fishers participated in the lobster fishery. On St. Croix, 41–48% of fishers engaged in lobster fishing during this period. On St. Thomas/St. John, the proportion was similarly high at 42–49%, indicating that any lobster-related management action could affect a substantial number of fishers in these islands.

Significant Economic Impacts

The outcome of a “significant economic impact” is ascertained by examining two factors: disproportionality and profitability.

Disproportionality: Do the regulations place a substantial number of small entities at a significant competitive disadvantage to large entities?

All entities directly affected by this action have been determined to be small entities. Thus, the issue of small entities being placed at a significant competitive disadvantage relative to large entities does not arise.

Profitability: Do the regulations significantly reduce profits for a substantial number of small entities?

Because cost data are unavailable, we cannot directly assess whether the proposed management action would significantly reduce profits for a substantial number of small entities. However, changes in gross revenue can still serve as a proxy of whether the proposed rule may lead to meaningful reductions in profitability.

The proposed action would increase the St. Croix spiny lobster ACL from 137,254 pounds (lbs) to 176,760 lbs. Given that the recent 5-year average landings are only 34,402 lbs, the revised ACL provides considerable room for future growth in harvest levels. Small commercial fishing operations would experience no reduction in immediate gross revenues or profits under this alternative, and the higher ACL offers additional operational capacity for potential fleet expansion.

The proposed action would also reduce the St. Thomas/St. John spiny lobster ACL from 133,207 lbs to 132,964 lbs, which represents a very small reduction of 243 lbs. Relative to the recent 5-year average landings of 109,814 lbs, the fleet remains below the ACL, indicating that the proposed reduction would not be expected to constrain current harvest levels.

Because landings remain under the ACL, no actual short-term revenue loss is expected.

Although the fleet is currently operating below the ACL, the margin between the ACL and the 5-year average landings is relatively narrow. This limited buffer increases the likelihood of exceeding the ABC and the ACL, which would trigger an AM closure, if landings rise in future years. In the medium term, an AM closure could reduce individual vessel profitability by shortening the fishing season; however, fishers may be able to mitigate some of these potential losses by targeting other species.

In summary, the proposed ACL changes are likely to be far less constraining for the fleet operating in St. Croix, which has ample room to increase landings, compared to St. Thomas/St. John, where the available buffer between landings and the ACL is much smaller. Overall, this proposed action would not be expected to have a significant economic impact on a substantial number of small entities.

6.7. Description of Significant Alternatives to the Proposed Action and Discussion of How the Alternatives Attempt to Minimize Economic Impacts on Small Entities

This proposed action, if implemented, would not be expected to have a significant economic impact on a substantial number of small entities. As a result, the issue of significant alternatives is not relevant.

Chapter 7. List of Preparers

List of personnel that assisted with development of the Framework Action 4 and Environmental Assessment.

Table 7.1. List of interdisciplinary plan team (IPT) members and other contributors.

Name	Agency	Title
Graciela García-Moliner	CFMC	IPT Co-lead / Fishery Biologist
Liajay Rivera	CFMC	Technical Assistant for Ecosystem Based Fisheries Management
Sarah Stephenson	NMFS/SERO/SFD	IPT Co-lead / Fishery Biologist / Regulations writer
María del Mar López	NMFS/SERO/SFD	Fishery Biologist / Division NEPA Specialist
Jennifer Lee	NMFS/SERO/PRD	Fishery Biologist
Dinorah Chacin	NMFS/SERO/HCD	Natural Resource Specialist/ USVI Fisheries Liaison
Natasha Mendez-Ferrer	NMFS/SERO/NEPA	NEPA Coordinator
Adyan Rios	NMFS/SEFSC	Biologist
Juan Agar	NMFS/SEFSC	Economist
Brent Stoffle	NMFS/SEFSC	Social Scientist
Katharine Zamboni	NOAA/GC	Attorney

CFMC = Caribbean Fishery Management Council, NMFS = National Marine Fisheries Service, SERO = Southeast Regional Office, SEFSC = Southeast Fisheries Science Center, SFD = Sustainable Fisheries Division, PRD = Protected Resources Division, HCD = Habitat Conservation Division, GC = General Counsel; NEPA = National Environmental Policy Act

Chapter 8. List of Agencies, Organizations, and Persons Consulted

Department of Commerce Office of General Counsel
National Marine Fisheries Service Office of General Counsel Southeast Region
National Marine Fisheries Service Southeast Regional Office
National Marine Fisheries Service Southeast Fisheries Science Center
National Marine Fisheries Service Silver Spring Office
National Marine Fisheries Service Office of Law Enforcement Southeast Division
U.S. Virgin Islands Department of Planning and Natural Resources

Chapter 9. References

Agar, J., M. Karnauskas, K. Furman, M. McPherson, and M. Shivilani. 2024. Summary of Participatory Modeling Workshops to Understand Ecological, Social and Economic Dimensions of the U.S. Virgin Islands Lobster Fishery. [SEDAR91-DW-01](#). SEDAR, North Charleston, SC. 17 pp.

CFMC (Caribbean Fishery Management Council). 1981. Fishery management plan, final environmental impact statement, and regulatory impact review for the spiny lobster fishery of Puerto Rico and the U.S. Virgin Islands. Caribbean Fishery Management Council, San Juan, Puerto Rico. <https://repository.library.noaa.gov/view/noaa/18383>

CFMC (Caribbean Fishery Management Council). 2019a. Comprehensive Fishery Management Plan for the St. Croix Exclusive Economic Zone, Environmental Assessment, Regulatory Impact Review, and Fishery Impact Statement. Caribbean Fishery Management Council, San Juan, Puerto Rico. 509 pp. <https://repository.library.noaa.gov/view/noaa/45275>

CFMC (Caribbean Fishery Management Council). 2019b. Comprehensive Fishery Management Plan for the St. Thomas/St. John Exclusive Economic Zone, Environmental Assessment, Regulatory Impact Review, and Fishery Impact Statement. Caribbean Fishery Management Council, San Juan, Puerto Rico. 507 pp. <https://repository.library.noaa.gov/view/noaa/45276>

CFMC (Caribbean Fishery Management Council). 2022. Framework Amendment 1 to the Fishery Management Plans for Puerto Rico, St. Thomas/St. John, and St. Croix: Modification of Spiny Lobster Management Reference Points Based on SEDAR 57 Stock Assessments Including Environmental Assessment, Regulatory Impact Review, and Regulatory Flexibility Act Analysis. Caribbean Fishery Management Council, San Juan, Puerto Rico. 139 pp. <https://repository.library.noaa.gov/view/noaa/49328>

CFMC (Caribbean Fishery Management Council). 2023. Framework Amendment 2 to the Puerto Rico, St. Croix, and St. Thomas and St. John Fishery Management Plans: Updates to the Spiny Lobster Overfishing Limit, Acceptable Biological Catch, and Annual Catch Limit Including Environmental Assessment, Regulatory Impact Review, and Regulatory Flexibility Act Analysis. Caribbean Fishery Management Council, San Juan, Puerto Rico. 135 pp. <https://repository.library.noaa.gov/view/noaa/66837>

CFMC (Caribbean Fishery Management Council). 2024. Amendment 2 to the Fishery Management Plans for Puerto Rico, St. Croix, and St. Thomas and St. John: Trawl, Net Gear, and Descending Devices Including Environmental Assessment, Regulatory Impact Review, and

Regulatory Flexibility Act Analysis. Caribbean Fishery Management Council, San Juan, Puerto Rico. 168 pp. <https://repository.library.noaa.gov/view/noaa/66551>

Kanciruk, P. 1980. Ecology of juvenile and adult Palinuridae (spiny lobsters). Pages 59-96 In: J. S. Cobb and B. F. Phillips, eds. *The Biology and Management of Lobsters*, Vol. II, Ecology and management. Academic Press, New York. 390 pp.

Munro, J.L. 1974. The biology, ecology, exploitation and management of Caribbean reef fishes. Scientific Rep. ODA/UWI Fish. Ecol. Res. Proj., 1969-73. Pt. V. 1. The biology, ecology, and bionomics of Caribbean reef fishes: VI. Crustaceans (spiny lobsters and crabs). Univ. W. Indies 2:<101. Dep. Res. Rep. No. 3. Kingston, Jamaica, 57 pp.

NMFS (National Marine Fisheries Service). 2020. Endangered Species Act Section 7 Consultation on the authorization and management of the Puerto Rico fishery under the Puerto Rico Fishery Management Plan (FMP), the St. Thomas/St. John fishery under the St. Thomas/St. John FMP, and the St. Croix fishery under the St. Croix FMP (SERO-2019-04047).

Ross, E. and D. Behringer. 2019. Changes in temperature, pH, and salinity affect the sheltering responses of Caribbean spiny lobsters to chemosensory cues. *Sci Rep* 9, 4375. <https://doi.org/10.1038/s41598-019-40832-y>

SEDAR (Southeast Data, Assessment, and Review) 57. 2019. Stock Assessment Report U.S. Caribbean Spiny Lobster Southeast Data, Assessment, and Review. North Charleston, South Carolina. <https://sedarweb.org/sedar-57>

Stoffle, B., J.R. Waters, S. Abbott-Jamieson, S. Kelley, D. Grasso, J. Freibaum, S. Koestner, N. O'Meara, S. Davis, M. Stekedee, and J. Agar. 2009. Can an island be a fishing community: an examination of St. Croix and its fisheries. U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Southeast Fisheries Science Center. NOAA Technical Memorandum NMFS-SEFSC-593. Silver Spring. <https://repository.library.noaa.gov/view/noaa/551>

Stoffle, B., J. Contillo, C. Grace, and D. Snodgrass. 2011. The Socio-economic Importance of Fishing in St. Thomas, USVI: An Examination of Fishing Community Designation. NOAA Technical Memorandum NMFS-SEFSC-623. Silver Spring. <https://repository.library.noaa.gov/view/noaa/8630>

U.S. Census Bureau. 2022. 2020 Island Areas Censuses: U.S. Virgin Islands. census.gov/data/tables/2020/dec/2020-us-virgin-islands.html

Appendix A. Status Determination Criteria and Definitions

Maximum Sustainable Yield (MSY) – The largest long-term average catch or yield that can be taken from a stock or stock complex under prevailing ecological, environmental conditions and fishing technology characteristics (e.g., gear characteristics) and the distribution of catch among fleets.

Minimum Stock Size Threshold (MSST) – The biomass level below which the capacity of the stock to produce MSY on a continuing basis has been jeopardized. A stock or stock complex is considered overfished when its biomass has declined below MSST.

Maximum Fishing Mortality Threshold (MFMT) – The level of fishing mortality (F), on an annual basis, above which overfishing is occurring. The MFMT or reasonable proxy may be expressed either as a single number (a fishing mortality rate or F value), or as a function of spawning biomass or other measure of reproductive potential.

Overfishing occurs whenever a stock or stock complex is subjected to a level of fishing mortality or total catch that jeopardizes the capacity of a stock or stock complex to produce MSY on a continuing basis.

Overfishing Limit (OFL) – The annual amount of catch that corresponds to the estimate of MFMT applied to a stock or stock complex's abundance and is expressed in terms of numbers or weight of fish.

Acceptable Biological Catch (ABC) – The catch level recommended by a Council's Scientific and Statistical Committee and set at or below the OFL to account for scientific uncertainty.

Annual Catch Limit (ACL) – The limit of total annual catch for a stock or stock complex that serves as the basis for invoking accountability measures. The ACL cannot exceed the ABC.

Optimum Yield (OY) – The amount of fish that provides the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities, and taking into account the protection of marine ecosystems.

Appendix B. Endangered Species Act Species in the U.S. Caribbean

Table B.1. Status and NMFS' determination of each ESA-listed species or distinct population segment (DPS) that may occur in the U.S. Caribbean region.

Common Name	Species Name	Status	Determination
Sei whale	<i>Balaenoptera borealis</i>	Endangered	NLAA
Sperm whale	<i>Physeter macrocephalus</i>	Endangered	NLAA
Fin whale	<i>Balaenoptera physalus</i>	Endangered	NLAA
Green sea turtle North Atlantic DPS	<i>Chelonia mydas</i>	Threatened	NLJ
Green sea turtle South Atlantic DPS	<i>Chelonia mydas</i>	Threatened	NLJ
Hawksbill sea turtle	<i>Eretmochelys imbricata</i>	Endangered	NLJ
Leatherback sea turtle	<i>Dermochelys coriacea</i>	Endangered	NLAA
Loggerhead sea turtle Northwest Atlantic DPS	<i>Caretta caretta</i>	Threatened	NLAA
Elkhorn coral	<i>Acropora palmata</i>	Threatened	NLJ
Staghorn coral	<i>Acropora cervicornis</i>	Threatened	NLJ
Rough cactus coral	<i>Mycetophyllia ferox</i>	Threatened	NLJ
Pillar coral	<i>Dendrogyra cylindrus</i>	Endangered	NLJ
Lobed star coral	<i>Orbicella annularis</i>	Threatened	NLJ
Mountainous star coral	<i>Orbicella faveolata</i>	Threatened	NLJ
Boulder star coral	<i>Orbicella franksi</i>	Threatened	NLJ
Scalloped hammerhead shark (Central and Southwest Atlantic DPS)	<i>Sphyrna lewini</i>	Threatened	NLJ
Nassau grouper	<i>Epinephelus striatus</i>	Threatened	NLJ
Oceanic whitetip shark	<i>Carcharhinus longimanus</i>	Threatened	NLJ
Giant Manta Ray	<i>Manta birostris</i>	Threatened	NLAA

NLAA = not likely to adversely affect

NLJ = not likely to jeopardize the continued existence

Appendix C. Other Applicable Laws

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) (16 U.S.C. 1801 et seq.) provides the authority for fishery management in federal waters of the exclusive economic zone. However, fishery management decision-making is also affected by a number of other federal statutes designed to protect the biological and human components of U.S. fisheries, as well as the ecosystems that support those fisheries. Major laws affecting federal fishery management decision-making are summarized below.

Administrative Procedure Act (APA)

All federal rulemaking is governed under the provisions of the APA (5 U.S.C. Subchapter II), which establishes a “notice and comment” procedure to enable public participation in the rulemaking process. Under the APA, the National Marine Fisheries Service (NMFS) is required to publish notification of proposed rules in the Federal Register and to solicit, consider and respond to public comment on those rules before they are finalized. The APA also establishes a 30-day waiting period from the time a final rule is published until it takes effect, which may be waived when good cause exists to do so.

The proposed rule associated with this framework action will include a request for public comment, and if approved, upon publication of the final rule, there will most likely be a 30-day wait period before the regulations are effective in compliance with the APA.

Coastal Zone Management Act (CZMA)

The CZMA of 1972 (16 U.S.C. 1451 et seq.) encourages state and federal cooperation in the development of plans that manage the use of natural coastal habitats, as well as the fish and wildlife those habitats support. When proposing an action determined to directly affect coastal resources managed under an approved coastal zone management program, NMFS is required to provide the relevant State agency with a determination that the proposed action is consistent with the enforceable policies of the approved program to the maximum extent practicable at least 90 days before taking final action. NMFS may presume State agency concurrence if the State agency’s response is not received within 60 days from receipt of the agency’s consistency determination and supporting information as required by 15 C.F.R. §930.41(a).

Upon submission to the Secretary of Commerce, NMFS will determine if this framework action is consistent with the U.S. Virgin Islands (USVI) Coastal Zone Management program, to the maximum extent possible. Their determination will then be submitted to the responsible agencies under Section 307 of the CZMA administering approved Coastal Zone Management programs.

Information Quality Act (IQA)

The IQA (Public Law 106-443) effective October 1, 2002, requires the government to set standards for the quality of scientific information and statistics used and disseminated by federal agencies. Information includes any communication or representation of knowledge such as facts or data, in any medium or form, including textual, numerical, cartographic, narrative, or audiovisual forms (includes web dissemination, but not hyperlinks to information that others disseminate; does not include clearly stated opinions).

Specifically, the IQA directs the Office of Management and Budget (OMB) to issue government-wide guidelines that “provide policy and procedural guidance to federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information disseminated by federal agencies.” Such guidelines have been issued, directing all federal agencies to create and disseminate agency-specific standards to: (1) ensure information quality and develop a pre-dissemination review process; (2) establish administrative mechanisms allowing affected persons to seek and obtain correction of information; and (3) report periodically to OMB on the number and nature of complaints received.

Scientific information and data are key components of fishery management plans (FMP) and amendments and the use of best available information is the second national standard under the Magnuson-Stevens Act. To be consistent with the IQA, FMPs and amendments must be based on the best information available. They should also properly reference all supporting materials and data, and be reviewed by technically competent individuals. With respect to original data generated for FMPs and amendments, it is important to ensure that the data are collected according to documented procedures or in a manner that reflects standard practices accepted by the relevant scientific and technical communities. Data will also undergo quality control prior to being used by the agency and a pre-dissemination review.

Endangered Species Act (ESA)

The ESA of 1973 (16 U.S.C. Section 1531 et seq.) requires that federal agencies must ensure actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of threatened or endangered species or destroy or adversely modify the habitat designated as critical habitat (habitat essential to the species’ conservation). The ESA requires NMFS to consult with the appropriate administrative agency (itself for most marine species, and the U.S. Fish and Wildlife Service for all remaining species) when proposing an action that may affect threatened or endangered species or critical habitat. Consultations are necessary to determine the potential impacts of the proposed action. They conclude informally when proposed actions may affect but are “not likely to adversely affect” threatened or endangered species or designated critical habitat. Formal consultations, resulting in a biological opinion, are required when proposed actions may affect and are “likely to adversely affect” threatened or endangered species or designated critical habitat.

NMFS completed a biological opinion on September 21, 2020, evaluating the impacts of the Puerto Rico, St. Croix, and St. Thomas/St. John fisheries on ESA-listed species. Refer to Section 3.2.3 for additional information.

Marine Mammal Protection Act (MMPA)

The MMPA established a moratorium, with certain exceptions, on the taking of marine mammals in U.S. waters and by U.S. citizens on the high seas. It also prohibits the importing of marine mammals and marine mammal products into the United States. Under the MMPA, the Secretary of Commerce (authority delegated to NMFS) is responsible for the conservation and management of cetaceans and pinnipeds (other than walruses). The Secretary of the Interior is responsible for walruses, sea otters, polar bears, manatees, and dugongs.

In 1994, Congress amended the MMPA, to govern the taking of marine mammals incidental to commercial fishing operations. The MMPA requires a commercial fishery to be placed in one of three categories, based on the relative frequency of incidental serious injuries and mortalities of marine mammals. Category I designates fisheries with frequent serious injuries and mortalities incidental to commercial fishing; Category II designates fisheries with occasional serious injuries and mortalities; Category III designates fisheries with a remote likelihood or no known serious injuries or mortalities. To legally fish in a Category I and/or II fishery, a fisherman must obtain a marine mammal authorization certificate by registering with the Marine Mammal Authorization Program (50 CFR 229.4) and accommodate an observer if requested (50 CFR 229.7(c)) and they must comply with any applicable take reduction plans.

NMFS has determined that fishing activities conducted under the St. Croix and St. Thomas/St. John FMPs will have no adverse impact on marine mammals. In the 2023 List of Fisheries published by NMFS, all gear types used to harvest spiny lobster (e.g., trap/pot, dive, hand/mechanical collection) in the St. Croix and St. Thomas/St. John fisheries are considered Category III ([87 FR 55348](#)). This classification indicates the annual mortality and serious injury of a marine mammal stock resulting from any fishery is less than or equal to one percent of the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock, while allowing that stock to reach or maintain its optimum sustainable population. This framework action does not change the list of authorized gear types in these fisheries and as such would not alter this determination.

Paperwork Reduction Act (PRA)

The PRA of 1995 (44 U.S.C. 3501 et seq.) regulates the collection of public information by federal agencies to ensure that the public is not overburdened with information requests, that the federal government's information collection procedures are efficient, and that federal agencies adhere to appropriate rules governing the confidentiality of such information. The PRA requires NMFS to obtain approval from the Office of Management and Budget before requesting most

types of fishery information from the public. This action does not contain a collection-of-information requirement for purposes of the PRA.

Small Business Act

The Small Business Act of 1953, as amended, Section 8(a), 15 U.S.C. 634(b)(6), 636(j), 637(a) and (d); Public Laws 95-507 and 99-661, Section 1207; and Public Laws 100-656 and 101-37 are administered by the Small Business Administration. The objectives of the act are to foster business ownership by individuals who are both socially and economically disadvantaged; and to promote the competitive viability of such firms by providing business development assistance including, but not limited to, management and technical assistance, access to capital and other forms of financial assistance, business training and counseling, and access to sole source and limited competition federal contract opportunities, to help the firms to achieve competitive viability. Because most businesses associated with fishing are considered small businesses, NMFS, in implementing regulations, must assess how those regulations will affect small businesses.

Essential Fish Habitat (EFH)

The Magnuson-Stevens Act includes EFH requirements, and as such, each existing and new FMPs must describe and identify EFH for the fishery, minimize to the extent practicable adverse effects on that EFH caused by fishing, and identify other actions to encourage the conservation and enhancement of that EFH.

The areas affected by the proposed action have been identified as EFH for managed species, as described under the St. Croix and St. Thomas/St. John FMPs. As specified in the Magnuson-Stevens Act, EFH consultation is required for federal actions, which may adversely affect EFH. Any required consultation requirements will be completed prior to implementation of any new management measures.

National Environmental Policy Act (NEPA)

The NEPA of 1969 (42 U.S.C. 4321 et seq.) requires federal agencies to consider the environmental and social consequences of proposed major actions, as well as alternatives to those actions, and to provide this information for public consideration and comment before selecting a final course of action. This document contains an Environmental Assessment to satisfy the NEPA requirements.

Executive Orders

E.O. 12630: Takings

The Executive Order on Government Actions and Interference with Constitutionally Protected Property Rights, which became effective March 18, 1988, requires that each federal agency prepare a Takings Implication Assessment for any of its administrative, regulatory, and legislative policies and actions that affect, or may affect, the use of any real or personal property. Clearance of a regulatory action must include a takings statement and, if appropriate, a Takings Implication Assessment. The NOAA Office of General Counsel will determine whether a Takings Implication Assessment is necessary for this action.

E.O. 12866: Regulatory Planning and Review

Executive Order 12866, signed in 1993, requires federal agencies to assess the costs and benefits of their proposed regulations, including distributional impacts, and to select alternatives that maximize net benefits to society. To comply with E.O. 12866, NMFS prepares a Regulatory Impact Review (RIR) for all fishery regulatory actions that either implement a new fishery management plan or significantly amend an existing plan. RIRs provide a comprehensive analysis of the costs and benefits to society associated with proposed regulatory actions, the problems and policy objectives prompting the regulatory proposals, and the major alternatives that could be used to solve the problems. The reviews also serve as the basis for the agency's determinations as to whether proposed regulations are a "significant regulatory action" under the criteria provided in E.O. 12866 and whether proposed regulations will have a significant economic impact on a substantial number of small entities in compliance with the Regulatory Flexibility Act.

NMFS has preliminarily determined that the proposed action would not have a significant economic impact on a substantial number of small entities.

E.O. 12962: Recreational Fisheries

This Executive Order requires federal agencies, in cooperation with states and tribes, to improve the quantity, function, sustainable productivity, and distribution of U.S. aquatic resources for increased recreational fishing opportunities through a variety of methods including, but not limited to, developing joint partnerships; promoting the restoration of recreational fishing areas that are limited by water quality and habitat degradation; fostering sound aquatic conservation and restoration endeavors; and evaluating the effects of federally-funded, permitted, or authorized actions on aquatic systems and recreational fisheries, and documenting those effects. Additionally, it establishes a seven-member National Recreational Fisheries Coordination Council responsible for, among other things, ensuring that social and economic values of healthy aquatic systems that support recreational fisheries are considered by federal agencies in the course of their actions, sharing the latest resource information and management technologies,

and reducing duplicative and cost-inefficient programs among federal agencies involved in conserving or managing recreational fisheries. The Council also is responsible for developing, in cooperation with federal agencies, states and tribes, a Recreational Fishery Resource Conservation Plan, to include a five-year agenda. Finally, the Order requires NMFS and the U.S. Fish and Wildlife Service to develop a joint agency policy for administering the ESA.

E.O. 13089: Coral Reef Protection

The Executive Order on Coral Reef Protection (June 11, 1998) requires federal agencies whose actions may affect U.S. coral reef ecosystems to identify those actions, utilize their programs and authorities to protect and enhance the conditions of such ecosystems; and, to the extent permitted by law, ensure that actions they authorize, fund or carry out not degrade the condition of that ecosystem. By definition, a U.S. coral reef ecosystem means those species, habitats, and other national resources associated with coral reefs in all maritime areas and zones subject to the jurisdiction or control of the United States (e.g., federal, state, territorial, or commonwealth waters).

The Comprehensive Amendment to the Fishery Management Plans (FMP) of the U.S. Caribbean (CFMC 2005) designated habitats of particular concern in Puerto Rico and St. Croix for managed corals and established management measures to minimize, to the extent practicable, adverse effects caused by fishing on those habitats. There are no implications to coral reefs by the actions proposed in this action.

E.O. 13132: Federalism

The Executive Order on Federalism requires agencies, when formulating and implementing policies, to be guided by the fundamental Federalism principles. The Order serves to guarantee the division of governmental responsibilities between the national government and the states that was intended by the framers of the Constitution. Federalism is rooted in the belief that issues not national in scope or significance are most appropriately addressed by the level of government closest to the people. This Order is relevant to FMPs and amendments given the overlapping authorities of NMFS, the states, and local authorities in managing coastal resources, including fisheries, and the need for a clear definition of responsibilities. It is important to recognize those components of the ecosystem over which fishery managers have no direct control and to develop strategies to address them in conjunction with appropriate international, state, tribal, and local entities.

No federalism issues have been identified relative to the action proposed in this framework action.

E.O. 13112: Invasive Species

This Executive Order requires agencies to use their authority to prevent introduction of invasive species, respond to and control invasions in a cost effective and environmentally sound manner, and to provide for restoration of native species and habitat conditions in ecosystems that have been invaded. Further, agencies shall not authorize, fund, or carry out actions that are likely to cause or promote the introduction or spread of invasive species in the U.S. or elsewhere unless a determination is made that the benefits of such actions clearly outweigh the potential harm; and that all feasible and prudent measures to minimize the risk of harm will be taken in conjunction with the actions.

This action will not introduce, authorize, fund, or carry out actions that are likely to cause or promote the introduction or spread of invasive species in the U.S. or elsewhere.

E.O. 13158: Marine Protected Areas (MPA)

Executive Order 13158 (May 26, 2000) requires federal agencies to consider whether their proposed action(s) will affect any area of the marine environment that has been reserved by federal, state, territorial, tribal, or local laws or regulations to provide lasting protection for part or all of the natural or cultural resource within the protected area.

This action will not affect any MPAs in federal waters off St. Croix or St. Thomas/St. John.