

*Science, Service, Stewardship*



## SERO Update on Developing Rulemaking to Address Reducing Incidental Bycatch and Mortality of Sea Turtles in the Southeastern Shrimp Fisheries and on the TED Compliance Policy

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## Notice of Intent to Prepare a DEIS and Conduct Scoping Meetings

- March 15, 2016: NMFS announced in the *Federal Register* its intent to prepare a DEIS and to conduct scoping meetings.
- Alternatives for potential rulemaking include:
  - Status quo;
  - Required use of standard or modified TEDs in the skimmer trawl fishery;
  - Required use of modified TEDs by all shrimp trawl vessels in specific areas; and
  - Other potential alternatives.



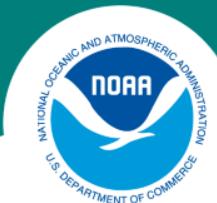
## Process to Date and What's Next?

- Five public scoping meetings were held April 13-21 (Morehead City, NC; Larose, LA ; Belle Chasse, LA; Biloxi, MS; Bayou La Batre, AL)
- The comment period closed on April 29, 2016.
- We expect to complete the DEIS/Proposed Rule before the end of the year
- 45-day comment period for DEIS; 60-day comment period for proposed rule
- A Final Decision on the rulemaking expected sometime this Spring



## TED Compliance Policy

- The April 18, 2014, biological opinion for the southeastern shrimp fisheries required NMFS to develop a policy specifying data requirements or minimum data standards for taking various actions (e.g., time area closures) to address non-compliance with federal turtle excluder device (TED) requirements.
- On May 15, 2015, SERO completed a draft TED compliance policy; the policy was shared with the Gulf and Atlantic state representatives for comment and also posted on the SERO Sea Turtle Protection and Fisheries Website:  
[http://sero.nmfs.noaa.gov/protected\\_resources/sea\\_turtle\\_protection\\_and\\_shrimp\\_fisheries/](http://sero.nmfs.noaa.gov/protected_resources/sea_turtle_protection_and_shrimp_fisheries/)



## TED Compliance Policy

- SERO responded to submitted comments and incorporated changes to produce a final draft of the policy. The final draft was distributed to the state POCs, councils, and commissions and posted online prior to finalization
- On September 22, SERO notified all state POCs, Councils, and Commissions of the final policy and posted it online.
- The final policy establishes sampling and compliance review timeframes, compliance data sources and standards, and compliance thresholds



## TED Compliance Policy

- The Final Policy includes:
  - 3 sampling periods (March-June, July-October, and November-February) with quarterly reviews within 30 days after each sampling period to determine the corresponding TED effectiveness rate.
  - TED compliance data collected via the Galveston Laboratory Observer Program, Pascagoula Laboratory Harvesting Systems Branch GMT, and by various law enforcement agencies (NOAA OLE, state resource agencies operating under a Joint Enforcement Agreement, and the USCG)
  - TED compliance data necessary for inclusion is presented in NOAA's current TED Enforcement Boarding Form



## TED Compliance Policy

- Compliance Thresholds:
  - Greater Than or equal to 88% Effectiveness: GMT Outreach
  - Less Than 88% but greater than or equal to 84% Effectiveness: Enforcement Pulse and GMT Outreach
  - Less than 84% Effectiveness for Two Consecutive Periods: Minimum of 30 –Day Shrimp Fishery Closure in Respective Area, Enforcement Pulse, and GMT Outreach
- A fishery closure due to poor TED compliance is a last-resort management action, and one that would occur only after education/outreach and enforcement activities failed to remedy the situation



## For More Information

- Scoping document, FAQs, Draft/Final TED Policy, and Recent Compliance Statistics available at:  
[http://sero.nmfs.noaa.gov/protected\\_resources/seaturtle\\_protection\\_and\\_shrimp\\_fisheries/index.html](http://sero.nmfs.noaa.gov/protected_resources/seaturtle_protection_and_shrimp_fisheries/index.html)