

Shrimp Advisory Panel Summary
Gulf Council Office
Tampa, Florida
March 15-16, 2023

The meeting of the Gulf of Mexico (Gulf) Fishery Management Council's (Council) Shrimp Advisory Panel (AP) was convened at 8:30 AM EST on March 15, 2023. Ms. Bosarge was elected Chair of the AP, and Mr. Perret was elected Vice-Chair. The agenda for this meeting was approved as amended: as a sub-bullet under Update of Wind Energy Areas in the Gulf of Mexico, the addition of Discussion of Wind Energy and Fisheries Summit; under Other Business, the addition of two items – (1) Update on Better Bycatch Reduction Device Project and (2) American Shrimp Processors Association Entering the Certification Process. The meeting summary from November 15, 2022, was approved as written.

Council Actions in Response to Motions from the November 2022 Shrimp AP Meeting

Dr. Freeman presented on the Council's actions in response to three motions from the September 2022 Joint Coral, Shrimp, and Spiny Lobster AP meeting and to four motions from the November 2022 Shrimp AP member. An AP member inquired what the Council's stance was on the proposed rule from the Florida Keys National Marine Sanctuary (FKNMS). Dr. Freeman shared the Council's letter that was sent to the FKNMS with the Shrimp AP. Dr. Simmons noted that the Council agreed with the AP's comments that "traditional fishing" needed to be further updated and defined by the FKNMS.

Update on Shrimp Effort Estimation Model and 2021 Gulf Shrimp Fishery Effort

Mr. Dettloff (SEFSC) provided an update on the shrimp effort estimation model and noted that his presentation incorporates feedback from a workshop held in February 2023 and from the Council's Scientific and Statistical Committee's meeting in March 2023.

An AP member asked what was causing the reduction over time in the shrimp industry's effort in the area monitored for juvenile red snapper. Dr. Freeman referred to language in Shrimp Amendment 18¹ that the fishery has been contracting since the establishment of the federal commercial Gulf shrimp moratorium permit in 2006 and that the shrimp fishery continues to experience economic losses, primarily due to high fuel costs and reduced prices caused by competition with imports. An AP member then inquired what percentage of landings was reflected by the sample of the fleet selected to participate in the cellular electronic logbook (cELB) program. Mr. Dettloff responded that he could provide that information.

An AP member inquired if the recent concerns expressed during the effort workshop, regarding the cutoff for tow speed at 3.8 knots, had been addressed. Mr. Dettloff responded that a sensitivity analysis can be conducted, although he envisions a minimal impact if the cutoff for tow speed changed from 3.8 knots to 3.7 knots; the AP member responded that the suggested new cutoff for

¹ <https://gulfcouncil.org/wp-content/uploads/Final-Shrimp-Amendment-18.pdf>

tow speed mentioned during the effort workshop was 3.3 knots. The AP member then asked what the historical application of the new effort estimation methodology would be. Mr. Dettloff replied that it could be applied as far back as 2014, with the estimates of years prior to 2014 remaining in place as best scientific information available. Another AP member noted that effort can be biased upward if the cutoff for tow speed is set too high and that it has direct management implications, including the potential for the industry being unduly considered non-compliant with items such as the incidental sea turtle take and the red snapper effort limit.

Another AP member inquired if effort could be parsed out for brown, white, and pink shrimp. Currently, the model does not provide effort individually for each; however, Dr. Stevens responded that it would be addressed during the data scoping workshop for Southeast Data, Assessment, and Review (SEDAR) 87. An AP member asked if states were meeting deadlines for submitting trip ticket information to NMFS. Dr. Lowther responded that, in general, states were meeting deadlines, but some problems did exist with states not reporting in the established timeframe.

An AP member asked how offshore is defined. Dr. Travis (SERO) said that offshore means waters outside the COLREGS line and noted that definition is what has always been used to distinguish offshore from inshore waters. He added that this differs from the delineation between federal and state waters and that effort estimates have historically used the former delineation because the data was not available to generate effort estimates between federal and state waters. Dr. Freeman then reviewed two motions from the SSC regarding the presentation they received in March 2023 on the shrimp effort estimation methodology. Another AP member expressed concern that one of the SSC's motions² should be considered solely for spatial monitoring rather than for any artificial intelligence to document bycatch and had an overall general concern that the SSC was not adequately briefed on the history of the shrimp effort monitoring program in the Gulf.

Status of SD Card Returns and Update from SEFSC on Use of Port Agents to Promote the Return of SD Cards

Dr. Lowther (SEFSC) presented the data collection status from the four mailings of secure digital (SD) cards in May 2021, January 2022, June 2022, and January 2023. The next mailing is scheduled for June 2023. He noted that a feedback card was included with the fourth mailing, allowing for identification of issues such as 'not fishing' or 'cELB unit damaged'.

An AP member inquired if additional port agents would be employed, noting that only two port agents are in the entire state of Texas and they are not tasked with shrimp related duties currently. Dr. Lowther replied that he could not speak on behalf of the agency for that matter. Dr. Gloeckner informed the AP that the two port agents in Texas were located in Galveston and Manvel. Mr. Schieble (Council rep) asked if some staff from the Southeast For-Hire Integrated Electronic Reporting (SEFHIER) program could be repurposed to facilitate the return of SD cards. Several AP members emphasized the importance of in-person communication and outreach for return of SD cards. Another AP member commented that any repurposed SEFHIER program staff could be

² Motion: The SSC supports NMFS continued examination of new technology and its potential acceptance in the industry for passive spatial monitoring in the offshore GOM shrimp industry to aid in meeting the assumptions of the current methods of calculating effort.

used not only for the return of SD cards but also to improve dialogue with the shrimp industry. Dr. Gloeckner (SEFSC) added that the original purpose of port agents was to collect statistical data. Dr. Lowther reminded the AP that the return of SD cards was intended to be a temporary solution and that no budget was originally planned for this process. Dr. Freeman noted that the Council's Outreach and Education Technical Committee's recommendations for improving the return of SD cards could potentially also be used for rollout of a replacement system for cELB units.

An AP member inquired how data was returned to NMFS prior to ELB data being transmitted via cellular means and how the return rates then compare to current SD return rates. Another AP member commented that the return rates were high with ELB units but that he did not know the actual numbers. An AP member commented that there is still robust data being collected, even with current SD card returns. Dr. Lowther noted that there is language in the Shrimp Biological Opinion requiring fisheries effort monitoring to be conducted at equivalent, or greater, levels as was conducted over the past ten years. An AP member stated that, although fewer SD cards may be returned, more vessels may be docked, so the percentage of vessels actively shrimping that are returning SD cards may be stable. Another AP member added that shrimp effort data is not only used for bycatch monitoring but also for issues such as placement of offshore wind energy sites, placement of aquaculture opportunity areas, and protection of sensitive areas like coral.

The AP then made the following motion related to providing needed information for management of penaeid shrimp in the Gulf. The AP stressed that in-person dockside focus is needed, not simply personnel in offices.

Motion: To request that NMFS re-task the current port agents to make shrimp a part of their annual directive, and to also investigate the possibility of repurposing current SEFHIER personnel to provide an in-person dockside focus on the Gulf shrimp industry, including but not limited to the retrieval of SD cards.

Motion carried unanimously.

The AP discussed the need for a performance measure of the ELB program over time. The AP then made the following motion:

Motion: To request, for the Gulf of Mexico, that NMFS analyze the historical percentage (from 2011 through the most current data) of total annual shrimp landings by SPGM vessels from offshore waters that are accounted for (i.e., landed) by shrimp vessels equipped with an ELB. And for NMFS to analyze the ELB data return rate (whether submitted on an SD card or transmitted electronically), on an annual basis, in relation to the number of active (reported Gulf landings) SPGM vessels from offshore waters. Also include information on the status and/or changes in trip ticket reporting requirements since 2011. This information should be presented to the Council and the Shrimp AP.

Motion carried unanimously.

Update on LGL P-Sea WindPlot Project

Dr. Putman (LGL Ecological Research Associates) presented an update on the Council funded project ‘Expanded Sampling of the Fleet for Effort Monitoring in the Gulf of Mexico Shrimp Industry’. He reviewed the five goals and discussed the results of each. After identifying challenges with P-Sea WindPlot (Goal 3) following initial testing on vessels (Goal 2), the software was revised (Goal 4) and further testing was conducted (Goal 5). Of the ten tests in Goal 5, one could be considered successful, but the remaining nine did not perform well. Mr. Schieble asked for any speculation on why the one test worked well. Dr. Putman responded that the captain was very conscientious of the testing, even though he was using an older desktop with an older version of Windows software.

Ms. Beyea (LGL Ecological Associates) then compared additional side-by-side testing of cELB units, P-Sea WindPlot software, NEMO cellular vessel monitoring system (cVMS) units, and ZEN cVMS units during the ten tests in Goal 5. An AP member inquired why there are differences in the effort estimation if the ZEN units are collecting roughly the same amount of data as the cELB units. Ms. Beyea responded that the 10-minute intervals recorded could be spaced differently across different units but that these discrepancies need further investigation. An AP member noted the gap in estimated tows and in collected data from the NEMO units in one graph and commented that the gap could represent several days of data; the AP member further commented that this emphasizes why testing of units type-approved for other fisheries on shrimp vessels is critical. Another AP member pointed out discrepancies in the maps of shrimping activity from the cVMS units and the cELB units, as far as characterizing activity as ‘trawling’ versus ‘on the hook’ (on anchor). It was also noted that only one test occurred for the length of a typical offshore shrimp trip (i.e., one month), and the trip showed data gap issues with the ZEN cVMS. An AP member then noted that the data from the LGL project had only been run through the old effort estimation model instead of the new effort estimation model that Mr. Dettloff had presented, and therefore, these results were not the appropriate outputs for analysis.

Update on NMFS VMS Project

Mr. Wallace (SEFSC) presented on NMFS’ side-by-side pilot testing of NEMO cVMS units and historical cELB units for Gulf shrimp vessels. He focused on solar NEMO cVMS units deployed, alongside cELB units, on five vessels and explained how both types of data were secured and processed. He originally noted, in his first presentation, that there was good overlap between NEMO and cELB tracks/tows, which was analyzed using cleaned data that eliminated some observations.

An AP member asked if the data had been run through the shrimp effort estimation model and, if so, had raw or cleaned data been supplied. Mr. Dettloff responded that he had only recently received the data, but had not yet analyzed it. The AP member requested that the raw, uncleaned data for both the cELB units and the cVMS units be provided to Mr. Dettloff for input into the new shrimp effort algorithm.

Mr. Wallace then presented a supplemental presentation showing trip statistics comparing the solar NEMO cVMS units and cELB units in terms of distance swept and tow days. He did note that the

pluggable NEMO cVMS unit on the RV Caretta performed much better than the solar NEMO cVMS unit, when compared with the cELB unit. He then added that there were relatively large percent differences in both distance swept and tow days with the NEMO cVMS unit and the cELB unit. Several AP members stressed that they did not consider the percentage difference for distance swept to be minor. An AP member commented that neither P-Sea WindPlot nor the tested cVMS units appear to be viable options as a replacement for the current cELB units.

Following the discussion that none of the existing testing presented appears to be a viable replacement for the current cELB units, the AP made the following motion:

Motion: Referencing the previous request of the Council's Focus Group on the Shrimp Data Collection Framework at its October 21, 2021, meeting for NMFS to test all type-approved cellular VMS units on shrimp vessels, the Shrimp AP requests the Council suspend action on the draft Shrimp Framework Action until NMFS conducts side-by-side testing of cELB units with the following cellular units on a minimum of five shrimp vessels for the full length of an average offshore trip and presents the results after the raw data is run through the new NMFS shrimp effort algorithm:

- 1) The Woods Hole NEMO unit that is hard-wired to the vessel**
- 2) The Atlantic Radio Telephone ZEN VMS LTE**
- 3) Nautic Alert Insight X3**

Motion carried unanimously.

Review of Draft Shrimp Framework Action

Dr. Gloeckner (SEFSC) presented a brief verbal update on Congressional funding for shrimp vessel position data reporting. NMFS was provided \$850,000 that, in consultation with the Council and shrimp industry stakeholders, is to be used to continue the development and implementation of the newly approved ELB program that archives vessel position and automatically transmits scientific shrimp fishing effort data via cellular service to NMFS. He noted that 20% of those funds are directed to overhead costs, leaving a remaining \$663,000. An AP member inquired if the information technology (IT) personnel proposed to be hired would be assigned only shrimp related tasks and if that individual would be able to program the cELB units in storage as replacements for any non-functioning cELBs on Gulf shrimp vessels. Dr. Gloeckner responded that should be part of the qualification for the IT job. An AP member stated that these funds should be utilized to purchase a SEFSC server dedicated to housing shrimp vessel position data as well as for establishing the necessary scanning protocols to ensure shrimp vessel position data transmitted electronically from vessels to the Science Center server is free of viruses. An AP member then noted that consultation with shrimp industry stakeholders should be in a written presentation, rather than verbal only, and that the current verbal update to the AP did not meet the consultation requirement. Dr. Simmons inquired as to when spending of the funds must conclude and if there was any possibility of an extension. Dr. Gloeckner stated that the funding was for a fiscal year ending in September 2023. He stated that if the funds were able to move through the Gulf States Marine Fisheries Commission, then the funding deadline would be slightly

extended. An AP member asked that a short webinar with the AP be scheduled when NMFS' spending plan for the \$850,000 is prepared so that the AP can provide feedback. Dr. Simmons encouraged the AP to identify potential dates for that webinar. Dr. Gloeckner noted that the spending plan would likely need to be completed in May 2023, particularly if it involved a contract with the Gulf States Marine Fisheries Commission.

Dr. Freeman then reviewed the purpose and need statements of the draft shrimp framework action. The AP noted that the purpose statement should not address the transition to a new system yet, but identify that it should evaluate options. The AP then made the following motion:

Motion: To modify the purpose and need statement as follows:

The purpose of this framework action is to evaluate options for a system that would maintain the Council's and NMFS' scientific ability to estimate and monitor fishing effort in the Gulf shrimp fishery while minimizing the economic burden on the industry to the maximum extent practicable.

Motion carried unanimously.

The AP then discussed that the document's need statement should only focus on the Magnuson-Stevens Fishery Conservation and Management Act.

Motion: To modify the need statement as follows:

The need is to base conservation and management measures on the best scientific information available as required by the Magnuson-Stevens Fishery Conservation and Management Act.

Motion carried unanimously.

The AP then discussed that there are times that shrimp vessels need to be moved in the waters when not engaged in shrimping, so **Alternatives 2** and **3** should not refer to being on a fishing trip³ but instead refer to when actively shrimping. The AP considers the requirement for devices in **Alternatives 2** and **3** to be installed and turned on during all fishing trips to be an undue burden on the industry.

Motion: To modify the language in Alternatives 2 and 3 to read as follows:

Alternative 2: Implement a cellular vessel monitoring system (VMS) requirement for the Gulf of Mexico (Gulf) shrimp fishery. If selected by the Science and Research Director (SRD), the owner or operator of a shrimp vessel with a valid or renewable Gulf shrimp moratorium permit (SPGM) would be required to install an approved VMS unit that archives vessel position when actively shrimping in the Gulf and automatically transmits that data via cellular service to NMFS.

³ In 50 C.F.R. § 622.2, a trip is defined as "a fishing trip, regardless of number of days duration, that begins with departure from a dock, berth, beach, seawall, or ramp and that terminates with return to a dock, berth, beach, seawall, or ramp."

Alternative 3: If selected by the SRD, the owner or operator of a shrimp vessel with a valid or renewable SPGM would be required to install an approved cELB that archives vessel position when actively shrimping in the Gulf and automatically transmits that data via cellular service to NMFS.

Motion carried unanimously.

The AP then discussed what options could be explored, if industry was not in favor a VMS system. An AP member commented that a real-time GPS tracking system was not needed, for scientific purposes, in the Gulf shrimp industry. Several AP members questioned why the current cELB units could not be reconfigured to transmit via cellular service again. The AP then discussed what the funding source could be to explore the possibility of reconfiguring the current cELB units to achieve that goal.

Dr. Walter (SEFSC) inquired if a redraw of the sample with cELB units would be acceptable to the industry. An AP member responded that the current sample of vessels needs to be kept, but if gaps were scientifically identified via analysis of the current random stratification of the current cELB sample, limited additional cELB units could be put on additional vessels to address those specific identified gaps. Dr. Travis noted that only a portion of the original sample with cELB units are actually returning SD cards, so non-response bias may be influencing the estimates, which could be determined by conducting additional analyses. Dr. Travis added that census level data collection is only for landings, not for effort.

The AP noted that a VMS requirement would be overly burdensome to the Gulf shrimp industry. The AP also wants to see how NMFS responds to the court decisions on VMS use in the for-hire industry. The AP then made the following motion:

Motion: To inform the Council that the Shrimp AP opposes the implementation of a VMS requirement at this time.

Motion carried unanimously.

The AP discussed having personnel from NMFS or from other sources familiar with the industry assist in retrieving SD cards from existing cELBs. The AP then made the following motion:

Motion: The consensus of the Shrimp AP is to place boots on the ground to retrieve SD cards from existing cELBs and to ensure that existing cELBs are functioning properly. As a path forward for the collection of vessel position data for the purpose of shrimp effort estimation, to work towards retrofitting existing cELBs to transmit cellularly.

Motion carried unanimously.

Dr. Simmons inquired if Alternative 3 should be removed from the draft framework action, as P-Sea WindPlot had not performed well when tested on shrimp vessels. The AP responded they wanted **Alternative 3** retained in the draft framework action, in case there is a 4G version of the current cELB units for consideration. Dr. Travis added that having only two alternatives may raise NEPA compliance concerns. The AP then made the following motion:

Motion: If the Shrimp AP is unable to review the framework action again, prior to the Council selecting a preferred alternative, then the Shrimp AP recommends, based on current available information, to the Council, that it selects as its preferred alternative in Action 1, Alternative 1.

Motion carried unanimously.

2021 Gulf Shrimp Fishery Landings

Dr. Stevens presented total landings from 2016-2021 individually for brown, white, and pink shrimp. She then showed the landings from 2016-2021 individually for brown, white, and pink shrimp in groupings of four zones (Zones 1-9, 10-12, 13-17, and 18-21). A preview of January-August 2022 landings was shown, which noted a drop in brown shrimp landings offshore and an increase in white shrimp landings inshore, compared to previous years. Several AP members commented on the economic challenges last year, such as diesel fuel cost, and also encouraged consideration of catch per unit effort. Another AP member noted a depressed price that began last year and has continued this year, due to imports; she also noted that some processors still have freezers full of imports and are not accepting catch from Gulf shrimpers.

Biological Review of the 2022 Texas Closure

Dr. Stevens presented on landings and count distribution for offshore Texas brown shrimp in July and August from 1981-2022. While landings in 2021 showed an increase in July as well as in August, compared to landings in 2020, landings in 2022 declined in comparison to 2021. The count distribution of offshore Texas brown shrimp in August 2022 was greatest in the 31-40 count, followed by the 41-50 count. She then presented on the count distribution for offshore Texas white shrimp in July and in August 2022. The 21-25 count was highest for July 2022, and the 15-20 count was highest for August 2022.

Inshore Texas brown shrimp catch from May-August in 2022 was well below the historical average, and offshore Texas brown shrimp catch from May-August was below the historical average. Offshore Texas white shrimp catch in July was below the historical average for that month, while offshore Texas white shrimp catch in August was above the historical average for that month. Proportionally, the upper and middle Texas regions had a slight increase in landings in 2022, relative to 2021, whereas the lower Texas region had a decrease in landings.

An AP member inquired what the price of small versus large shrimp was, in order to better understand if the Texas Closure was needed in 2023. NMFS staff responded that they did not have that information on-hand.

Motion: To request that NMFS continue with the Texas Federal Closure in the coming year in conjunction with the state of Texas closure in 2023.

Motion carried unanimously.

Review of 2021 Royal Red Landings

Dr. Stevens presented on royal red landings from 1962-2021 in relation to its annual catch limit (ACL). The royal red landings are well within the ACL of 337,000 pounds of tails. After a discussion of Argentinian red shrimp imports, an AP member commented that he would be meeting with the Federal Trade Commission this month to discuss shrimp imports and fraud.

Update on EDM Development for White and Brown Shrimp

Due to time constraints, this agenda item was not presented.

Update on Research Track (SEDAR)

Dr. Siegfried (SEFSC) provided a brief update on the Southeast Data, Assessment, and Research (SEDAR) track for Gulf brown, white, and pink shrimp. The SEDAR 87 Planning Team includes Council staff and SSC members. She noted that data scoping would begin in July 2023, with a data workshop to be held September 18-22, 2023, in Mobile, Alabama. Dr. Freeman then asked for two or three volunteers from the AP to participate in the data workshop. Mr. Bosarge, Mr. Graham, and Ms. Bosarge volunteered to participate. An AP member also recommended Mr. Brown (absent from the AP meeting due to illness). Another AP member asked if non-AP members could also volunteer from the Gulf shrimp industry. Dr. Simmons said that a pool of volunteers could be formed if they sent an email expressing interest.

An AP member commented that the output of a management strategy evaluation (MSE) is generally a total allowable catch and asked how a MSE would be a useful tool for shrimp. Dr. Siegfried explained that a MSE for shrimp is not just for shrimp management but also for management of bycatch. A harvest control rule would not be expected as an output.

An AP member then inquired if effort data specific to brown, white, and pink shrimp effort would be needed if a surplus production model were to be used for pink shrimp. Dr. Siegfried responded in the affirmative, although an approach using a time series of landings and an index is also possible. The AP member then inquired how long it would take to isolate effort data for pink shrimp. Mr. Dettloff responded that it would be much quicker than for white and brown shrimp, given the narrow range of geographic zones in which pink shrimp is usually harvested.

Update on Hurricane Ian Assessment and the Florida Seafood Industry

Mr. Sweetman (Florida Fish and Wildlife Conservation Commission [FWC]) discussed the assessment of impacts on Hurricane Ian on the Florida seafood industry. Monthly phone calls with various agencies and stakeholders have been hosted, and Governor DeSantis submitted a request for disaster determination to Secretary of Commerce Raimondo in October 15, 2022. Although no formal framework is in place, determinations fall into two categories: 1) rapid and 2) non-rapid. The primary difference between the two is the need for post-disaster fishery landings data. The rapid determination does not utilize post-disaster fishery landings data. Rapid determination is what FWC experienced for Hurricanes Irma and Michael, which received disaster determinations in four months and in eight days, respectively. By not waiting for post-disaster fishery landings

data, determinations can be processed much faster. The non-rapid process does require 12 months of post-disaster fishery landings data. NOAA will review both pre- and post-disaster fishery landings data. If there is a loss of landings revenue of greater than 80%, a disaster determination will be approved. If losses are between 35-80%, further evaluation will be done by NOAA before a determination is made. The landings data must be specific for a given fishery and, therefore the fishery must be defined. Therefore, information needs to be species-specific (e.g., white shrimp, brown shrimp, pink shrimp, etc.), and then the entirety of the fishery landings is considered (e.g., Gulf of Mexico). That means that the Division of Marine Fisheries Management, within FWC, cannot only look at the most affected area (Sarasota, Charlotte, Lee, and Collier Counties), but would need to utilize landings data from the entire Gulf coast of Florida.

An AP member inquired if there were fishery habitat disasters, such as to seagrasses. Mr. Sweetman responded that they do not generally do that type of assessment. Another AP member asked if relief would be in the form of loans. Mr. Sweetman responded that they would be funds and that those funds would not be taxed.

Update on Wind Energy Areas in the Gulf of Mexico

Mr. Boube (BOEM) provided the AP with an update on wind energy areas in the Gulf. In the next few months, the final Environmental Assessment will be published. He noted that, after the final sale notice, an auction would occur, likely before the end of 2023.

An AP member noted what a complicated and remarkable process this has been, particularly with conflicting interests and industries in the Gulf. The AP member then commented that many questions remain and that some impacts would be unknown until after decommissioning. Another AP member stated that the Council had previously sent a letter to BOEM with concerns and asked that those still be taken into consideration. An AP member commented that, at the recent Wind Energy and Fisheries Summit, it was stated that transmission lines can increase the temperature of the nearby substrate by 10-20 degrees Celsius, yet she understood the range of viability for Kemp's ridley sea turtle eggs to be only 2-4 degrees Celsius. She expressed concerns over the temperature effects on sea turtle nests, as the shrimp industry has been tasked with mitigating any negative impacts on turtles caused by actions of the energy industry. Several AP members noted that the information surrounding bidding credits needs to be expanded more and questioned how strong of an incentive exists for contributing to a fisheries compensatory mitigation fund. AP members also emphasized the importance of replicating the Idle Iron Notice to Lessees (NTL), originally issued relative to oil and gas leases, so the Idle Iron NTL regulation applies identically to alternative energy lessees. This ensures historical users of the sea, such as shrimpers, are reinstated access to these areas once alternative energy infrastructure is no longer producing. She noted the Council had been informed this would be the case, but recently, BOEM had contradicted their previous guidance when asked in other forums.

SERO Protected Resources Update, Sea Turtle Take and TED Compliance

Ms. Lee (SERO) presented an update from Protected Resources. She clarified the old 2014 approach for sea turtle takes is no longer being used. In 2022, the Galveston Shrimp Observer Program observed 25 sea turtles. Under the 2021 Biological Opinion, NOAA Fisheries must

produce bycatch estimates at 5-year intervals, and the first bycatch estimates will be available by the end of April 2026. In 2022, 146 turtle excluder device (TED)-related incidents were noted by the Office of Law Enforcement (OLE), and roughly half of the incidents were closed by OLE with no violations documented. Ms. Lee also noted that Dr. Carlson (SEFSC) is working to finalize the sawfish population viability analysis (PVA) and will present those results to the AP at a future meeting.

An AP member asked how many vessels were engaged in the observer program, in order to better understand the magnitude of 25 sea turtles being observed. Ms. Lee replied that she did not have that information readily available but could provide that later. Another AP member asked for clarification on where a PVA had been performed for another species so that he could learn more about PVAs. Ms. Lee responded that a PVA is not uncommon with protected species and that she could share additional studies. She also commented that she would make sure background information was provided to the AP before Dr. Carlson's presentation. An AP member requested at least the previous year's statistics in future presentation so that the AP could better understand trends.

Public Comment

Mr. Lovingfoss (Atlantic Radio Telephone) introduced himself as an employee of the company that produces the ZEN VMS devices, which were type-approved by NMFS for use in the Gulf of Mexico for-hire fisheries. He first discussed how vessel position data, collected using the ZEN VMS units, could be uploaded onto a website using a thumb drive and a computer when back on-shore, if the captain downloaded the data from the VMS unit onto the thumb drive. He then discussed the situations surrounding problems encountered during ZEN VMS testing conducted by LGL. He stated that one problem was a code error that had been addressed and then tested at 1-minute intervals; he said there were zero missed reports during that follow-up testing. He commented that another problem was caused when the captain encountered a severe storm and had shut down the electronics onboard because he was concerned about electrical shortages. He then stated that the last problem was caused because the captain had turned off power to the VMS unit, for reasons unknown. However, the captain was on the hook, perhaps to sleep or eat, and that the vessel had not changed positions, so while there was a time lag, the position data was not affected. He also noted that Atlantic Radio Telephone uses a sim card that works with all four major cellular companies.

Dr. Lowther inquired if there was an automatic transmission as well. Mr. Lovingfoss responded that the device is capable of automatic transmission, but that fishermen could have the option to use a thumb drive instead for transmission. He also noted that type-approval for VMS devices did not yet exist for the Gulf shrimp industry, so options for transmission could still be considered. An AP member responded that national type-approval specifications already exist for VMS units and would apply, as currently codified, to the shrimp fishery if a VMS mandate is placed upon it, and the industry would not be at liberty to write its own type-approval specifications.

Other Business

An AP member commented that some shrimpers were not being reimbursed for meals of observers. Another AP member responded that the individual with NMFS who had been handling those meal reimbursements had passed away, and that the backlog is being addressed.

Status Update on Gulf of Mexico Atlantis Ecosystem Model Development

Dr. Freeman noted that a Center of Independent Experts (CIE) review will be conducted March 28-30 as a hybrid meeting. The Council will send via email a press release with more information and also post that information to the Council's website.

NOAA Fisheries' Draft National Seafood Strategy

Dr. Rubino (NMFS) first noted that the comment had been extended to March 31, 2023, for NOAA Fisheries' draft National Seafood Strategy. He explained that the four strategy objectives address the seafood component of the agency's mission.

An AP member commented that there has been a lot of resistance for offshore aquaculture, as aquaculture is identified as the second strategy objective. Another AP member added that the strategy should also focus on the promotion of domestically produced seafood. An AP member stated that a previous draft seafood strategy had come before the Council and that the strategy emphasizes the importance of domestic seafood production and the importance of those employed in the industry. She also stated that some areas need to be reopened for fishing, not just closed, and that country of origin labeling was vital for consumers but also for producers.

Update on Better Bycatch Reduction Device Project

Ms. Picariello provided an update on improvements to bycatch reduction devices with finfish. Commercial trials with vessel testing will be the next stage for devices being developed. She asked that anyone interested in participating contact her, and she noted that compensation for participation would be available.

American Shrimp Processors Association and Certification Process

Due to time constraints, this agenda item was not discussed.

The meeting was adjourned at 3:32 pm eastern time on March 16, 2023.

Meeting Participants

Members Present:

Leann Bosarge, Chair
Corky Perret, Vice-Chair
Steve Bosarge
Thu Bui
Glenn Delaney
Gary Graham
Harris Lasseigne, Jr.
Lance Nacio
Hunter Pearce
Laura Picariello
John Williams

Council Staff:

Matt Freeman
John Froeschke
Jessica Matos
Ryan Rindone
Bernadine Roy
Charlotte Schiaffo
Camilla Shireman
Carrie Simmons

NMFS Staff:

Michael Barnette
Kyle Dettloff
Frank Helies
Peter Hood

Ed Glazier
David Gloeckner
Kimberly Johnson
Jennifer Lee
Mara Levy
Alan Lowther
Rich Malinowski
Michelle Masi
Cassidy Peterson
John Quinlan
Michael Rubino
Elizabeth Scott-Denton
Katie Siegfried
Rebecca Smith
Jessica Stephen
Molly Stevens
Michael Travis
Farron Wallace
John Walter
Kate Walter
Jo Williams

Council Members:

Bob Gill
Chris Schieble (representative)
CJ Sweetman