Draft Framework Action: Modification of the Vessel Position Data Collection Program for the Gulf of Mexico Shrimp Fishery

April 8, 2024

Outline

- Review P&N Statements

- Review Alternatives

- Review and Respond to Feedback from IPT and Shrimp AP on Alternatives

- Issues Impacting Next Steps

- Tentative Timeline

Purpose Statement

- The purpose of this framework action is to transition from the expired 3G cellular electronic logbook program to 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.

Need Statement

- The need is to base conservation and management measures on the best scientific information available and to minimize bycatch to the extent practicable, as required by the Magnuson-Stevens Fishery Conservation and Management Act, and minimize interactions with protected species as required by the ESA.

Action 1

Modify the Method Used to Collect Vessel Position Data for the Gulf of Mexico Shrimp Fishery

- Note: The types of data and amount/timing of data collection would not vary between alternatives. Consistent with current requirements, the permitted vessels selected to participate must also provide the National Marine Fisheries Service (NMFS): the size and number of shrimp trawls deployed for each set, and the type of bycatch reduction device and turtle excluder device used in the nets. As set forth in Amendment 13 (GMFMC 2005) and 50 C.F.R. § 622.51, compliance with these requirements and the requirement to submit vessel position data is required for permit renewal.

Action 1

Modify the Method Used to Collect Vessel Position Data for the Gulf of Mexico Shrimp Fishery

- **Alternative 1:** No Action - Maintain the current method to collect vessel position data through the cellular electronic logbook (cELB) units supplied by NMFS. Prior to December 7, 2020, the owners or operators of selected vessels were responsible for the cost of cellular service necessary to transmit the data. Currently, because 3G cellular transmission is no longer possible, NMFS will collect the memory cards from the units via mail.

Action 1

- **Alternative 2:** Implement a cellular vessel monitoring system (cVMS) requirement for the Gulf of Mexico (Gulf) shrimp fishery that provides archived position data compatible with the SEFSC's shrimp effort algorithm. 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 a type-approved VMS unit (50 CFR 600.1501) that archives vessel position when on a shrimp fishing trip in the Gulf and automatically transmits that data via cellular service to NMFS.

- **Alternative 3:** Implement a cellular ELB (cELB) requirement for the Gulf shrimp fishery that provides archived position data compatible with the SEFSC's shrimp effort algorithm. If selected by the SRD, the owner or operator of a shrimp vessel with a valid or renewable SPGM would be required to install a NMFS-approved ELB that archives vessel position when on a shrimp fishing trip in the Gulf and automatically transmits those data via cellular service to a non-OLE NMFS server. NMFS-approved ELBs would not be type-approved based on regulations at 50 CFR 600.1501.

Action 1

Alternatives 2 and 3 - Similarities

- In comparing **Alternatives 2** and **3**, the types of data (i.e. HH:MM:SS; degrees, minutes, seconds), amount/timing of data collection, and minimum number of position fixes would not vary. (Assumes the Technical Specifications for **Alternative 3** outlined in Appendix D are formally adopted by NOAA Fisheries.)

  - Vessel position is recorded every 10 minutes (LGL Ecological Research Associates, Inc. 2009).

  - The minimum number of position fixes that a unit can process will be 14,400. (This would ensure a minimum of 100 days of position fixes could be stored, for long trips outside of cellular range.)

Action 1

	Alternative 2	Alternative 3
Reimbursement	Currently, VMS reimbursement is available nationally for the purchase cost of the units, while installation, maintenance, and communication costs are covered by vessel owners, and reimbursement is capped at $950 for programs that allow for the use of a cellular VMS.	None

Action 1

	Alternative 2	Alternative 3
Data Storage	Following the current national VMS regulations, NOAA Office of Law Enforcement (OLE) would maintain final storage of the collected data, to which the Southeast Fisheries Science Center would have access.	An approved ELB would operate in the same manner as an approved VMS, but the collected data would be transmitted to a non-OLE NMFS server. OLE would retain access to this data.

Action 1

	Alternative 2	Alternative 3
Type Approval	National VMS type-approval process already exists.	If the national VMS type-approval process is not followed (**Alternative 3**), the SEFSC would need to develop a separate contract for shrimp-specific testing and certification as well as maintain requirements for vendors on the SEFSC shrimp program website.

Action 1 – IPT Feedback

**IPT feedback on Council updates to Alternatives 2 and 3
from the April '23 meeting:**

- To be consistent with SA shrimp, it requires that the VMS be operating "on a trip" (so, a fishing trip and not just a shrimp fishing trip).
- How would we know whether the trip is for the purpose of harvesting shrimp as opposed to some other species? Imposing a declaration requirement might be the only way.

- Committee response to IPT feedback? Remove or retain the word 'shrimp' in "when on a shrimp fishing trip" in Alternatives 2 and 3?

2024 Shrimp AP Motion

- Motion: To request the Council to amend Action 1: Alternative 3 as follows and to select Alternative 3 as so amended as its preferred Alternative:

  - Alternative 3: Implement a cellular ELB (cELB) requirement for the Gulf shrimp fishery that provides archived position data compatible with the SEFSC's shrimp effort algorithm. If selected by the SRD, the owner or operator of a shrimp vessel with a valid or renewable SPGM would be required to install a NMFS-approved ELB that archives vessel position when on a shrimp fishing trip in the Gulf ~~and automatically transmits those data via cellular service to a non-OLE NMFS server~~. Data shall not be transmitted directly to the NMFS Office of Law Enforcement but shall instead be transmitted automatically and directly via cellular service to the NMFS Southeast Fisheries Science Center's server. NMFS-approved ELBs for the Gulf shrimp fishery would not be type-approved based on regulations at 50 CFR 600.1501.

    Motion carried unanimously.

- Committee response to AP's change to wording of alternative?

Issues Impacting Next Steps

- Shrimp AP has identified issues throughout this process, some of which still need clarification and some of which will impact the analyses in the draft framework action.

- Type-approval concerns:
  - What will type-approval look like under Alternatives 2 and 3? The AP has heard that type-approval for a specific fishery, in this case the shrimp industry, would not be done until after the Council takes final action.
  - The type approval process listed in Alternative 2 is at a national level and was not designed with the shrimp industry in mind (for instance, scientific data collection rather than for enforcement).
  - Are units type-approved for use in the Early Adopter Program meeting the national type-approval process from Alternative 2, or what are they based on?
  - Until the type-approval process is determined, costs to vessel owners/operators under Alternatives 2 and 3 will likely have to be based on units and cellular monthly service changes from the Early Adopter Program.

Issues Impacting Next Steps

- Recipient of data transmission:
  - Will OLE continue to be the direct recipient of data transmission under Alternative 2, or will it shift to the SEFSC or Office of Science and Technology?
  - Through this whole process, the Shrimp AP has emphasized that this data is collected for scientific purposes, not for enforcement purposes, so the SEFSC should be the direct recipient. This is one of the distinctions in Alternative 3.

Issues Impacting Next Steps

- Breadth of data collection:
  - Will units be on a sample of shrimp vessels, or will it be a census?

    -If a census is conducted, then all vessels, including those from the Early Adopter Program, would be part of the data collection program.

    -However, not all volunteers from the Early Adopter Program might be selected if a random sample is implemented from Alternatives 2 or 3.

  - A range for social and economic analyses will have to be conducted, since it is unclear the number of vessels that will be included for data collection as well as the number of vessels for inclusion that may have units installed through the Early Adopter Program.

  - The number of vessels that will need to pay for units may also be affected by the new $850k in Congressional funding in 2024 towards this data collection program (this is in addition to the $850k from last year), if those funds also go to the Early Adopter Program.

Tentative Timeline

- Tentative timeline:
  - Bring the draft framework action back to the Council at its August 2024 meeting.
  - Prepare Chapter 3 of the draft framework action and discuss with the IPT if possible to prepare Chapter 4 with the current information.
  - Select a preferred alternative based on the analyses in Chapter 4.

2024 Shrimp AP Motion

- Motion: The Shrimp AP recommends that the Council requests NMFS adopt the following priorities for utilizing the FY24 $850,000 appropriation for ELB development and implementation:

    - 1) Sufficient funding to ensure the SEFSC server has sufficient capacity to receive and store shrimp fishery vessel position data.
    - 2) Develop a statistically robust design for distributing units to a representative portion of the fleet that would be comparable to the last 10 years.
    - 3) Cover the cost of providing units and cellular service to those shrimp vessels, pursuant to the Early Adopter Program.

    Motion carried unanimously.

- Committee response to the Shrimp's motion?

Questions?