GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

SHRIMP MANAGEMENT COMMITTEE

Embassy Suites Panama City Beach, Florida

October 23, 2023

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The Shrimp Management Committee of the Gulf of Mexico Fishery Management Council convened at The Embassy Suites in Panama City Beach, Florida on Monday afternoon, October 23, 2023 and was called to order by Chairman Chris Schieble.

ADOPTION OF AGENDA
APPROVAL OF MINUTES
ACTION GUIDE AND NEXT STEPS

CHAIRMAN CHRIS SCHIEBLE: Good afternoon, everyone. At this time, I would like to call the Shrimp Management Committee to order. The members of the committee are myself as Chair, Mr. Gill as Vice Chair, Dr. Banks, Mr. Broussard, Mr. Diaz, Mr. Donaldson, Dr. Overton, Mr. Geeslin, General Spraggins, or Rick Burris, Mr. Strelcheck, and Mr. Williamson. All committee members are present today.

The first item on the agenda is Adoption of the Agenda, which is Tab B, Number 1. Does anyone have any other business that they would like to see added to the agenda? I think we need to actually add the other business that is listed, correct?

EXECUTIVE DIRECTOR CARRIE SIMMONS: Thank you, Mr. Chair, and so I was just wondering -- We sent a letter to Dr. Evan Howell and Dr. Cisco Werner regarding the climate resilient money, and if it could be used towards the ELB effort, and so I will just ask, at the end of the meeting, if they could give us an update on that, if they have any information.

CHAIRMAN SCHIEBLE: Okay. So noted. Without any other additions, does anyone have any objections to that agenda amended? Seeing none, the agenda is approved. The next item on the agenda is Approval of the August 2023 Meeting Minutes, which is Tab B, Number 2. Are there any additions, deletions, or corrections to those minutes from the August meeting? I don't have any either, and so, seeing none, is anyone opposed to adopting those minutes as written? Seeing none, the minutes are adopted.

Next up on the agenda is the Action Guide and Next Steps, Tab B, Number 3, and I believe that Dr. Freeman is remotely on the meeting with us, and I will let him guide us through that. Dr. Freeman, can you hear us?

DR. MATT FREEMAN: Yes, sir. Thank you. For the first agenda item, the committee will receive results of the NMFS cellular vessel monitoring, cVMS, testing on Gulf shrimp vessels. Responding to the Gulf Council's motion, the goal of this

project was to test several different models of cVMS units, alongside the existing cellular electronic logbook devices on five vessels off of Palacios, Texas for the full length of an average offshore trip.

Originally, three models were requested to be tested, and the Southeast Fisheries Science Center expanded this to a fourth unit. Retrieved data has been run through the Dettloff effort algorithm for comparison. The committee will also hear about progress on the early adopter approach. The committee will then be presented with any Shrimp Advisory Panel motions related to the results of the NMFS pilot study. The committee should ask questions and provide feedback, both to NMFS on the pilot study as well as to council staff on the next steps and timing for the draft shrimp framework action.

Mr. Chair, one thing to add is the Shrimp Advisory Panel meeting was held this past Thursday, and there is a note in the meeting summary, but I did want to remind the Shrimp Committee that we were one individual short of a quorum, and so the AP still did make motions, and it was just one person short of a quorum. Thank you.

CHAIRMAN SCHIEBLE: Okay. Thank you, Dr. Freeman. Moving on to Agenda Item Tab B, Number 4(b), which is the results of the side-by-side testing of cellular vessel monitoring systems, and that will be Dr. Walter. Can you hear us, Dr. Walter?

RESULTS OF SIDE-BY-SIDE TESTING OF CELLULAR VESSEL MONITORING SYSTEMS (cVMS) AND CELLULAR ELECTRONIC LOGBOOKS (cELBs) ON GULF SHRIMP VESSELS

DR. JOHN WALTER: Good afternoon, everyone. Sorry that I cannot be there in-person, but I'll be presenting the VMS testing results from the side-by-side testing, and I am presenting this on behalf of a large number of people who worked together on this and got the units deployed over the 4th of July holidays in Palacios, and then got the units taken off, and so I want to give a thanks out to a lot of the people who worked on that, from our staff, to LGL, and then to the vessel owners and captains who allowed us to get on their boats and install these.

The motivation here is that we had previous monitoring done with the cELBs, the current electronic logbooks, that recorded information at ten-minute intervals, and that's the previous system we had, and that's what is used to generate fishing effort, which is critical information for managing the fishery, as well as essential information for the biological opinions

related to sea turtles, that we have to monitor that effort, and there's also an effort cap that is for bycatch.

That data was originally transmitted to NOAA Fisheries by the 3G cellular network, but then, when that network stopped transmitting, we no longer were able to get that data directly from the devices, and so now we've got the process, in the interim, to collect the chips and have them either mailed back in, or we've got a lot of industry participation, with boots on the ground going to vessels to get those chips.

We're collecting that data, in the interim, until we get a new process in place, and, right now, it's still giving us effort data, albeit not as systematic and as accurate as it was before, because some of the devices are failing, and then we're not getting as many chips back as we would have when the data was transmitted electronically.

The goal is to try to determine what's going to be the future, and we have both a requirement to do this, a request from Congress to do this, and I think a strong motivation to get a more modern effort data collection process in place, and one of the keys to that is that we really want the units to be able to actually transmit the data to us through the cellular networks and not have to physically go out to vessels.

The objectives were to install new cellular VMS devices alongside cELBs on five volunteer commercial shrimp boats and monitor the performance at-sea during regular fishing trips and then have that data be transmitted cellularly to us. In order to get it before the council, we had to schedule that after the Texas open, in the July-August timeframe, and we wanted the data to be recorded at the standard ten-minute intervals for the full length of an average offshore trip, and, in some cases, we got multiple trips, because we were able to do that, and then we wanted to run that data through the Dettloff algorithm, which calculates the number of shrimping days, shrimping effort in days, and so that is really the determinate of whether they work or not, is whether they gave us similar results as to what the existing 3G units gave us.

Then we compared those results in the side-by-side testing, to evaluate the performance of the units, and this comes from a motion passed by this council to conduct a side-by-side test.

The methodology is that Palacios, which is the port for a large number of shrimp vessels that were getting ready to fish during that Texas opener, was a convenient location for us to get on

vessels and get these units installed, and we installed multiple different units on the vessels during that July timeframe, in advance of the opener.

We tested four different VMS units, Boat Command and NEMO, which are both approved by the ASMFC lobster fishery, and then Tracker One, which was added, because it was available, and then Zen VMS, which is approved for the for-hire fisheries in the Gulf of Mexico. Originally, we requested to put Nautic Alert units on the boats. However, they were not available, during this time period, to us, and so we replaced them with some of the other units that we had been exploring, and, as the ASMFC effort monitoring for the lobster fishery has opened up a number of units, we added both them and Tracker One to that.

We also replaced -- If there was an old cELB, one of the 3G units, we put a new one on, to ensure that we would get reliable data from them, in case one of the older units might have failed, which, as it turns out, was a wise decision, and then you can see, on five different vessels, we got almost the full suite of different units on, except we didn't get Tracker One on Vessel 5.

As I mentioned before, we ran it through the Dettloff algorithm, which identifies trawling versus steaming, based on vessel speed and based on the distribution of speed, and then that allows us to then say whether the effort in a given location and time is fishing effort or steaming effort, based on the vessel speed, and that's calculated because you have two position points, and then the straight-line distance between those two position points, and you can derive a speed from that.

The results are we found that, of the old cELBs, two of the old ones failed. The new ones all worked, but it does show that, as those units age, just like any electronics, they're going to potentially not continue to work, and, in this case, it was good that we put new units on. We had results back from all four of the VMS testing, except for Vessel 5, where we didn't get the Tracker One on.

I do want to put a disclaimer out that many of the results here will be focused on data determined to be valid by the current estimation of commercial shrimp effort algorithm, the Dettloff algorithm, and some gaps reflect device performance, while other gaps reflect the algorithm filtering, due to vessel behavior, such as when it's stationary for a long period of time. Also, points are filtered out if they're not in the area we're calculating our effort for, which is offshore, and so, if

they're inshore, those are filtered out, and so some of the results that you see are due to that filtering algorithm, and then we will try to clarify those as the results are presented in more detail.

This is one result table for one vessel, and it's quite detailed. I'm not going to go through every single one of these for every vessel, and I will kind of briefly touch on them and note that the colors show us where we got most of the data back that we would expect, because we have an expected duration of the trip, and then we would want to get all of that data back.

In some cases, we did not get all of the data that we expected back, and, in some cases, you will see numbers over 100 percent, and that means that there were data points that were in between the ten-minute interval, and so there are more data points, because, in some cases, devices are programmed to put a data point down when they cross a border, when they power-on or off, or for other reasons, and so sometimes you can get data that are at say seven, or five, minute intervals. That's not a problem for the algorithm, because, as I noted, it takes the speed from the position, the two positions, and then the time between them, and so it simply calculates that speed and whether it's steaming or towing, regardless of whether it's seven or ten minutes.

You will see a number of situations of why issues were observed, where, for instance, some of the units didn't report all the data, and, in one case, for Vessel 1, one of the units required a reboot, which requires a magnet that we didn't send with the vessel, and so it couldn't get rebooted during the trip. There were also some units that had some substantial gaps in the data collection, and we're not quite sure why the Tracker One had that, but you will see that, systematically, the Tracker One units seemed to have a lot of gaps, which may be due to settings related to whether they were within cell service.

Now, the units should still continue to report position, just like your phone knows its position, even if it doesn't have cell data, and it would just transmit that when it gets close enough to shore. However, there might have been something with why that didn't work, and we're going to explore that further, because we've heard that the units do well in other fisheries.

Here is a figure of the estimated fishing tows, which is the upper-dashed line, and then all of the data, both fishing and steaming, which is the lower line, for each one of the units. For Vessel 1, in gray, you see when it's in port. The green and the red are the start and stop of a fishing trip, and what you

want to see is that the two lines show all of their data, that, when they're in port, they are not fishing, and then that there aren't substantial gaps.

These are the same results as I showed for Vessel 1 for Vessel 2, and, here, there was an issue, again, with the Tracker One, and some of the other units had some other power issues here, but, for the most part, we got pretty good results here from most of the units. The old cELB did not work on this one.

Then you see the time series plot of the same data, and you see the Boat Command and Tracker One had missing data, and then, in some cases, the units were turned off for the first three days, and I believe that was a power issue, and I will just quickly scroll through the remainder of these slides, which are the same, and we kept the presentation nearly the same as what was given to the AP last week, and so, if there's a particular question that people want to go back to on one of these slides, we can do that, but I will just quickly go through them. This is the time series plot, and this is Vessel 4, and this is another time series plot, and this is Vessel 5.

Here are maps, and we've gotten permission from the vessels to show the actual maps of the effort and space, and you can see when they're leaving port and then when they're -- You see some red in the bay, and we think that that's due to when the vessels are lowering their outriggers, and then you see where the bulk of the fishing is offshore, and you see that some of the units had some substantial missing data. This is for Vessel 1, and then Vessel 2, Vessel 3, Vessel 4, and Vessel 5.

This is really probably the make take-home message, and this is the total effort, in tow days, after we've run the data through the Dettloff algorithm, and what you can see is that most of the units, except for the Tracker One, has got fairly similar total tow days, and, essentially, it would be giving us the same effort recording as any other ones, and we see that the new cELBs generally performed well, with the exception of for Vessel 4. The Boat Command also performed well, except for on Vessel 2. NEMO also performed well. However, it had some -- Again, on that Vessel 1, it required the reboot. Tracker One had the greatest challenge, and I think we're still sorting out what may have happened there, and then Zen showed quite good results.

I will note that there was, in one case, where there was more effort hours recorded than any of the other ones, and this is because we actually were emailed some extra days of fishing, and that's simply because of that and not because there was anything

wrong with the unit, and it didn't have any other problem, and so what we see is, generally speaking, pretty good performance from the VMS units, and I think this sets us up well for moving into the early adopter phase.

The challenges we faced were with some of the power issues, and I think that speaks to how we're going to need to ensure that the units are installed well and that they are wired to the vessel, so that they obtain power when the vessel is operating, and the data was also -- One of the other parts of this early -- What will be the next phase of the early adopter, which we actually tested out during this testing phase, was having the data be passed directly to the Science Center.

This is one of the potential options we're considering in the framework amendment, in terms of how the data is routed, and, in this case, we've created an application programming interface to allow the vendors to push the data directly to the Science Center. Several of the vendors tested pushing that data into the database during the at-sea testing phases in the API, and some of the vendors also emailed us the data, but now all of the vendors have that capacity to be able to push the data to us.

Then what we would like to do is further flesh out that potential during the early adopter program and then determine whether that's something that we can do at scale as the program moves operation, and the question will be is that something that the Science Center can maintain, and that the vendors can also maintain, and does it ensure the confidentiality and data integrity necessary for the system to go operational.

The next steps here are to embark upon the early adopter program. The Gulf States Fisheries Commission is administering the contract to do this, and the contract has been awarded to LGL Ecological Associates, and the goal of this is for voluntary adoption of cellular VMS units on vessels by vessel owners and operators.

They would get two years of data transmission fees paid for, as well as the unit purchase and installation, and so it's a pretty good deal. This is in advance of any rulemaking, and is entirely voluntary, but it might -- It would most likely help to support whatever rulemaking comes into place, in terms of being able to beta test these units before anything is required, and so, if there are vessels who are interested in being part of this, they can contact Nathan Putman at LGL Ecological Research Associates, and what we would recommend is that vessel owners choose units that demonstrated good performance here and/or that

are type-approved for other fisheries.

In that case, we want vessel owners to have the choice of what units to put in, and we, at NOAA Fisheries, are not dictating, or do not right now have any requirements as to which units would be supported. However, units that have shown pretty good performance here would probably be preferred.

With that, I would just like to acknowledge, again, all the people who have contributed to this project, and the Port of Palacios, and give a thanks to the shrimp fishery. We know this is a challenging time for many in the shrimp industry, and we've heard that, and we want to ensure that we can get the effort data modernized, in a new and improved program, with a minimal and least challenges to the fishery, and we think that the early adopter program is an option to help support that, and so thanks, and I will take any questions.

One other thing that I will note is that our communications lead -- We have a new communications person, and Meaghan Emory is in-person at the meeting, and, Meaghan, if you can raise your hand, and I believe we have handouts that we can provide on this early adopter approach, if people are interested. Thanks.

CHAIRMAN SCHIEBLE: Understood. Thank you, Dr. Walter, and I appreciate, you know, your summary of this, and I know we've gone through this testing of these different units it seems like for quite a while now, and these are probably the best results, at least in my opinion, that I have seen over the course of going through this multiple different iterations, and so thank you for your patience, and all those folks that you have listed there, for putting the effort in to get this done to where we can work on it. Do we have some questions around the table for Dr. Walter on the test results? Kevin.

MR. KEVIN ANSON: Thank you, Mr. Chair. I'm not on your committee, but, Dr. Walter, regarding the Boat Command unit, it had the overreporting, if you will, or the additional data points that were collected, but yet it's approved by the ASMFC, and is that an issue that they had noted, or do they have similar kind of reporting, or data issues, with that, as far as extra data points?

DR. WALTER: I don't know about in ASMFC and whether that's an issue, but it's certainly -- With most of the VMS units, they're required to ping when they cross certain boundaries, or when they have a power-on or off, or when they've lost like communication, and so I think it's pretty standard to get these

pings at finer intervals, and the algorithm just simply deals with it appropriately, and so it's not an issue in any way, and, in fact, it's actually part of the standard programming under most VMS requirements, and so, no, it's not an issue that we could see, but I don't know about the ASMFC. Thanks.

CHAIRMAN SCHIEBLE: Thank you, Dr. Walter. Mr. Strelcheck has a question.

MR. ANDY STRELCHECK: Not a question, but I guess, in response to Kevin's question, I think the main issue might be the difference in the purpose of how they're using the units, and so, in this instance, we're, obviously, trying to estimate shrimp fishing effort, and ASMFC I think is more using them as just locational devices for where the lobster fishery is operating.

CHAIRMAN SCHIEBLE: Okay. Thank you, Andy. Do we have any other questions? Ms. Boggs.

MS. SUSAN BOGGS: I'm not on your committee, but I did want to ask, and is there a reason that Zen doesn't transmit directly to the agency? I mean, are they looking at the data prior to it going to the agency, or why is that different than the others?

DR. WALTER: The reason that they emailed us was because we really only created the API during the testing phase, and so Zen had been planning on emailing us the data, and only tested it during that phase, but, operationally, how they sent it to us was by email, and they can also use the API now, and so it was just a timing thing, and I think, going on in the future, Zen will just be using that portal. Thanks.

CHAIRMAN SCHIEBLE: Okay. Thank you, Dr. Walter. Mr. Diaz.

MR. DALE DIAZ: I just wanted to kind of echo what Mr. Schieble said. Dr. Walter, thank you to you and your team, the folks that participated in it, and I know you all pulled this together in a short amount of time, and it's a difficult thing to deal and wrestle with, and it is noted, and appreciated, and so thank you, all.

DR. WALTER: Thank you.

CHAIRMAN SCHIEBLE: Ms. Boggs.

MS. BOGGS: Again, I'm not on your committee, but, on slide 23, the results from Vessel 4, I've been -- I mean, most of the maps

on all the vessels show pretty closely, but, on Vessel 4, the Zen map, and it seems like I'm picking on Zen, but it's way offtrack, compared to the other tracks, and is there any explanation for that? I mean, on track compared to the other hardware that were used on this vessel, and was it a different trip?

DR. WALTER: Yes, and that one has an extra three days of fishing, down there in that lower-left, and so Zen just happened to be able to collect that extra data, and we probably should have just removed that.

CHAIRMAN SCHIEBLE: Okay. Do we have any other further questions for Dr. Walter? If not, we can move on to the next item on the agenda, which is Tab D, Number 4(a), and that's a summary of the October 19, 2023 Shrimp Advisory Panel meeting, and that will be from the Shrimp AP, Ms. Bosarge, please.

MS. LEANN BOSARGE: Good afternoon. Thanks for having me, and, staff, if you want to, the first part of the summary is really going to focus on that presentation that was just on the board, and so, if you want to, you can pull that back up, because I think it will be helpful as we go through this.

The AP first wanted to thank the council for putting forward the motion that we had in our former AP summary report, where we did ask for further testing on those three units, and thank you to the council for making that motion as well, and sending that letter on to the Science Center, and then we wanted to thank the Science Center, because, really, this round of testing was very well thought out, the protocols that you put in place, and you gave us a great baseline, and you were very proactive in making sure that you had the old 3G unit that had always been on the boat on there, but then you also pulled your 3G units, that you have the inventory at the Science Center, and put a new one on there, in case the old one failed, and I think, had you not done that, we wouldn't have had as great comparisons to go by, and so we really appreciate you thinking through that and making sure that this data was as useful as possible for us to figure out a path forward.

Let me step back, and so we've had two rounds of testing, right, and the first round of testing -- Staff, if you want to pull that old PowerPoint up that we just saw, because we're going to need to refer to it, and you can go to Slide 25, if you don't mind, and so, in the first round of testing, we tested three type-approved VMS devices, to see if they would work for shrimp data collection, because our program is a scientific data

collection program.

It's different. Its main function is for science, and it's different than all the other VMS programs that you have, right, and we have to take this data and make sure that the shrimp fishery is still in compliance with the Endangered Species Act, and so this idea of the unit is offline, or it has down time, or it has failures, and that's an inconvenience in a law-enforcement-based program, if that's the purpose for the program, and it's an issue when it's a science-based program. We have to make sure that we're getting enough of the data to get accurate results, right?

The first round of testing, those three units were tested, Zen, NEMO, and Faria Beade. The Faria Beade failed, and I think NMFS even took it off the type-approved list for all the different fisheries, because it just -- It did not do well during that testing.

NEMO had some issues, and it wasn't good at collecting the data consistently, but there was this hypothesis that maybe that was because it was not hardwired into the vessel, and it was using solar power, and then the Zen did fairly well. It had one issue, where, on a longer trip, it quit collecting data, and so we did have one failure on the Zen, but, by and large, it did well, and so we go into this second round of testing, right, and we -- You all, and the Shrimp AP, you asked NMFS to go back and test that NEMO some more, but hardwire it this time, to see how it does, and you asked them to test the Zen again, because it had that one failure, but it looked okay, and it looked promising, and you asked them to test the Nautic Alert, which is another type-approved VMS.

Those are the three that you asked them to test, and I have to give the Science Center kudos, because they went and did some research, and they found some other devices that are being used in other fisheries that might work for us, and they tested those too, and so they went above and beyond in that respect, and so they tested an extra two, for a total of five, the Boat Command and the Tracker One, and so those are used in other fisheries.

All right, and so the NEMO. We thought it was a solar-power issue. If you look at those results there, and like on Vessel 1, and the new and old cELB give you about thirteen days of trawling, nets in the water, right, effort. Boat Command gives you about the same, and Zen gives you about the same, and the NEMO gave us 3.8. The Tracker One gave us 3.3, and so, when you do that math -- I mean, you don't have a 5 or 10 percent

difference in the effort being produced by these units, and you've got a 250-percent-plus difference in the effort being produced, and so, from a fisherman's perspective, at the AP, we didn't see that as success, right, and the success is that the testing showed us this, thank goodness, ahead of time, and it showed us which units are still having problems, even when hardwired, right, and so the AP did not feel like that NEMO was a success.

Now, if you will go to -- I just want to point one thing out, and you all have an hour-and-a-half for this committee, and so I wanted to go through a couple of these slides in greater detail and show you what the fishermen see, and I am so excited that you have an hour-and-a-half, and this is pretty much the main thing on your agenda, and so, if you will let me, let's go to slide 11 real quick, please, ma'am.

If you -- Here is the rest of the story, and so think about this from a fisherman's perspective, and so let's focus on the NEMO for a minute, and, Carrie, can you be my Vanna White? All right. On that screen back there behind you, because that's the one that everybody can see, the NEMO, and so there's a solid-gray line, and then there's a dotted-gray line above it, and the solid gray line is the one that we're going to focus on, and so any gap in the solid-gray line is where it stopped collecting data, right, and so, Carrie, point to the first gap.

Okay, and there's gap one, and it quit working. Now go to the second gap. There's a gap, and then the next one, and there's a gap. Then the next one, and there's a gap, and then it stops altogether, and so it stopped working five times on a trip, all right, and that's a big deal for us as fishermen. That's a -- In the AP's mind, that was an all-out failure, and we don't want you to push this unit forward in the early adopter program.

It had issues during the first round of testing, and it's got more issues now, and there's another trip where it had issues, and so it had issues on two out of five trips, and that's 40 percent failure, from a fisherman's perspective, and the other thing that you have to think about, from a fisherman's perspective, is heaven forbid if NMFS makes this a VMS rule, and we've got to go to the dock every time it does that, and so you're talking about twelve to twenty-four hours of just steaming, of just running, and can you imagine what that fuel bill looks like, to go in and fix it five times in one trip?

That's how the fishermen think about it, and I just kind of wanted to back up and show you that from the fishermen's

perspective, and you can see there the Tracker One, and I'm not going to spend much time on it, because pretty much all of the boats that we put it on looks like that, and it just won't -- It won't cut the mustard. It's not saying online, and it's not collecting data when it's supposed to, and it's not reliable enough for what we need for scientific data.

Then, if you go to slide 13, real quick, and so, on this one, see that Boat Command, and that's the green line, and it does pretty well until you get right down towards -- Right there. See that? It quits collecting data, and we're not sure why. We don't know if that's a power issue, a power supply issue, or if it really did fail, and that's the only boat that we saw this Boat Command vendor have an issue, and so the AP said, you know, maybe it could have been a power supply, and we're going to look into it more, and we feel like we want to continue testing this Boat Command, as we go into the early adopter. You can see that Tracker One has issues again.

The other thing that you can notice from this is like you see how you have missing data at the very beginning of Zen, and the Tracker One and the cELB, and you didn't have power to the units, and my guess is -- See that gray bar, and that's where they're at the dock. When you're at the dock, sometimes you're on shore power, and you can get shore power, and you have to unplug the shore power, and you've got to crank the generator, and these units, a lot of times, are either plugged into an UPS box or a power strip, right, like a surge protector, and, when you crank that generator, it trips it, and so they didn't realize that it had been tripped, and those units weren't on, but it tells me that it's not a problem with the units, because all three of them did it at the exact time and then came on at the exact same time, and so that gives you a hint that that's probably a power issue.

You see that as you go through these, and so the big take-away, if you want to go back to slide 25, and the big take-away, for us, is we've still go farther to go. I think this was excellent, and we learned a lot from it, and we learned what we don't want, right, and NEMO and Tracker One probably are not going to be suitable for scientific purposes, for this fishery.

Boat Command and Zen, they showed some promise. However, each one of them had one failure in each round of testing, right, and like the Zen had a failure in the very first round, and then Boat Command in this second round of testing, and so we want to look at them some more and make sure that's a fluke, right, that that happened to happen in the one-out-of-five boats, but, if

you had fifty boats, it still would have just been that one, and we need to see that. We need to have some assurance there.

The other thing that I thought was worth highlighting, because we also have this other mandate that we have to think about in the interim, until we find a replacement, and that is that the Endangered Species Act, and the different litigation that the agency has been through, says that we have to at least maintain, or do better, than what we've been doing with our data collection for shrimp.

If you look at the new cELBs, which is still your same 3G cELB that we've had on the boats for eleven years, the difference is NMFS has a thousand of them in inventory, and so they took one of those new ones off the shelf of their inventory and put it on the boat, but it's still the 3G ELB. It does pretty well, and so I think we have an interim stopgap that keeps us in compliance there.

When you combine that with the fact that the industry has put boots on the ground to increase the return rate on the chips, we're doing okay, and it's not real-time data, but the data that you're getting is just as good, if not better, than it used to be, and so I think that's important to keep in mind.

Having said that, the AP passed a motion, and the motion said that, at this time, based on the most recent NMFS cVMS testing, the Shrimp AP requests that the Tracker One and NEMO units not be included in the early adopter program. However, we left it open-ended, because we don't want to shut anybody out forever, and so we added another sentence, and it said that, if improved versions of those units are available at a later date, the Shrimp AP could consider them at that point. The Shrimp AP further requests that NMFS widely distribute the results of the NMFS cVMS testing directly to shrimp permit holders.

This early adopter program is being funded with the $800,000 that the shrimp industry went to Congress and begged for, essentially, and it was sent down to NMFS. Now, a good portion of that $800,000 was kept within NMFS to work on some things that they want to work on, and around $300,000, or maybe a little less, once you take off some admin fees, is going to go to the fishermen, and my best guess at it was probably $280,000. I couldn't get a definite answer, but the max would be $350,000, and it's probably down around $280,000, and so that's all we have to work with.

Don't spend that money on devices that we know aren't going to

work, please, and so that's why we passed this motion, to make that very, very clear.

The other thing that the AP talked about was -- The reason that we structured this motion this way, and said leave those off, instead of saying, no, we want you to go forward with X, Y, and Z is because we didn't want to eliminate any units that may come out of the woodwork that we don't know about yet that might, you know, work well for testing, and NMFS wrote that into their protocol, when they put this contract out for bid, and so that is written in there, that other units can come in and be considered. We don't want these two, in their current form, to be considered though, that NEMO and the Tracker One.

That's what we have there, and one thing that the AP didn't talk about, but I just thought of just now, as I was listening to that presentation, is, as we move forward with that early adopter program, it's really another testing phase, essentially, and we're going to be getting more data in. Yes, it's great to get these units paid for and on the boats, but, to me, the big bang for the buck is the data you get that you can evaluate, so that we can figure out what units could really be the future for our industry, but we can't do that if we don't have cELB units as a baseline on the boats that we're putting the early adopter devices on, and so I just -- I want to plant that seed, that I hope that NMFS will think about that, to make sure that we have data that we can really evaluate, when we get it back.

You have like a thousand of those units on the shelf, and maybe you can send some of those to the contractor who is going to be handling this, and you're going to have to program them, and they're not programmed, but put them on the boats, along with whatever you put on for the early adopter units, so we've got a baseline to compare to.

I thought about that, and then the only other question that the AP had, and, really, and I'm the chairman of the AP, and I will be honest that I'm not sure the answer, after going through that meeting, and that page 25, the effort results, what is that a result of? Is that after you put the raw data from these units through the entire Dettloff algorithm, or through a portion of the Dettloff algorithm, or not through the Dettloff algorithm, but more just an Excel-type program, where you get the speed of the boat and determine what it's doing, and that I couldn't quite gather, and so hopefully we -- Because that was a big piece of this, especially with the extra points.

We knew, going into this, that the OLE-type VMS units, that are

type approved right now, they ping more than every ten minutes, because they have to. That's how their protocols are written. They have to ping when they cross boundary lines, and they have to ping every time there's a power-up or power-down, and lots of different things, and we wanted to make sure that wasn't going to cause a problem with the algorithm, and so do we know -- Those numbers, at they a full-blown run of the Dettloff algorithm, where you change the directory that you pull the data from in your computer code, and highlighted the whole algorithm, the whole computer code, and ran it, or did you just highlight part of it and run it, or what?

CHAIRMAN SCHIEBLE: Dr. Walter has his hand up.

DR. WALTER: My understanding is that that's the full Dettloff algorithm, and so it takes the data out if it's in a bay or estuary, and it assigns depth based on the vessel depth data file, et cetera, et cetera.

MS. BOSARGE: All right. Thanks, and maybe if we could, you know, talk to Kyle Dettloff, because, yesterday, at the AP, we were told that it was run with just a portion of it, and so that's where the confusion is, I guess, coming from on that.

I think that's pretty much it, and I think the key take-home is that, you know, at first, I think we were really rushing into this, with this replacement program, and I think we've slowed down and backed up and started to do some really thorough testing, and we're learning a lot, and I think, if we'll stay kind of at the pace that we're at, and not rush into anything, and let's get some more testing, and make sure this is going to work, and I think we might end up with a good result here, as long as we don't jump in too fast. We've got to make sure that it works before we put it out there.

Another thing for NMFS to think about is, in your early adopter program, and I think, maybe early next year, you're planning on taking those old cELBs off the boat, and starting to phase them out, and, I mean, based on this, it seems like it would be advantageous to leave them on there a little bit longer, especially even just as an interim stop-gap, to make sure that we've got good, solid data, until we get our for-sure replacement. That's all for that. Do you want me to go through the rest of the report right now, or do you want me to pause for a minute?

CHAIRMAN SCHIEBLE: Well, it looks like we have some questions for you about this particular topic, and we're going to go back

to Dr. Freeman for the action guide, to see where we're at as far as the framework action, and I think we need to address that a little bit, and then we can probably come back to you for the remainder of the report, but don't run away. Stick around. Thank you for that summary from the AP, Ms. Bosarge, and, also, it sounds like, you know, we've got three functioning units here that the AP agrees that worked fairly well in this test, versus what we've seen in prior testing, which is a positive result, and so that's fairly good, I think, considering what we've seen in the past, moving forward with this, and so would you agree with that, that at least the AP looks at three of these units as being fairly reliable?

MS. BOSARGE: Yes, and, by the three, you mean the old cELBs and then the two potential replacement units? Yes, I think we do, and the one thing -- The only real reservation that we had, other than the two failures that we saw that we want to make sure were a fluke and not a recurring thing, and we do want to see the actual -- So the Zen data, as they mentioned, was emailed in, whereas, for the other units, and I guess the companies have some kind of portal, right, and NMFS was able to go to the portals for those companies and pull the data off the portal, and so it's much more of a transmission, right, rather than just an old-fashioned email in.

The AP had some reservations about that, and they really want to see the capability of Zen to transmit this data, once you're at a full-scale program, right, with hundreds of boats, because emailing in -- That's not going to work, right, and it's got to be transmitted automatically, and so it's good that Zen was able to use the API, but we hope that, going forward, any data coming from the Zen is, at a minimum, at a portal level, where NMFS can pull it. The best-case scenario is all the vendors are actually pushing it to the API to NMFS, and so thanks.

CHAIRMAN SCHIEBLE: Okay. Thank you, Ms. Bosarge. At this time, I will just go back over the motion regarding this that the Shrimp AP made, keeping in mind that the Shrimp AP did not have a quorum, but, since they're an advisory panel, this is mostly a suggestion for the council, this motion.

It states that, at this time, based on the most recent NMFS cVMS testing, the Shrimp AP would request that the Tracker One and NEMO units not be included in the early adopter program. If improved versions of these units are available at a later date, the Shrimp AP could consider them at that point. The Shrimp AP further requests NMFS widely distribute the results of the NMFS cVMS testing directly to federal shrimp permit holders. I think

that second part there is something that we also need to probably discuss, maybe with Dr. Walter, going forward, and how that distribution would take place, but, for discussion's sake, around the table with this committee, does anybody have any questions, or statements, regarding this motion? Mr. Gill.

MR. BOB GILL: Thank you, Mr. Chairman. I think, before we get into discussion on the motion, I would like to hear, and I don't think we've heard, the Science Center reaction to that motion, because this is all about gathering data for the science, and they're the ultimate arbiters of that, and I would like to hear what they have to say, pro or con, relative to that motion. Thank you.

CHAIRMAN SCHIEBLE: Thank you, Mr. Gill. I guess, Dr. Walter, did you hear that request for a response to this motion from the Science Center?

DR. WALTER: Yes, I did, and I will respond, as I did at the AP, that it's not our preference to exclude units, and, in particular, units that are used widely in other fisheries, and there may very well be a simple explanation for why some of them didn't work as well in the testing.

What we normally do is set the specifications for what's needed, and so like set the VMS specifications, or, in the framework amendments, outline the specifications, and then vendors can meet them or not, and then that would be the normal process, rather than, right now, excluding vessels from the early adopter, or excluding units from the early adopter, approach, and so our preference was not to exclude two of those, but rather to say that that was still going to be a decision that a vessel owner could make, in consideration of these results, and then under advisement of the contractor who will be doing the work, and we'll also be coordinating between the vendors and the vessel owners for installations. Thanks.

CHAIRMAN SCHIEBLE: Okay. Thank you, Dr. Walter, and so your preference would be to see all five of these units included in the early adopter program?

DR. WALTER: Just that it not be excluded right now, that the council not pick the winners or losers right now, and I don't know that that's necessary to be done at this point. I think we still are going to learn more information as we embark on the early adopter approach.

CHAIRMAN SCHIEBLE: I guess I don't know enough about this, but

what if the industry decided to choose some of these units, and they aren't reliable, after they choose them, and how would that work?

DR. WALTER: Well, presumably, if they pick one, and it fails, there will be some -- There might be some warranty, in terms of, if it's going to be purchased on a volunteer basis, and so of this testing was actually provided to us at no charge, or at a reduced charge, by the vendor, and so they willingly participated in this, and that's one of the reason that I feel, in some cases, it might be a little unfair to say that the units were failures in this, when there might be an easy answer. If the units were purchased as part of the early adopter approach, and they failed due to a warranty issue, presumably that would be between the vendor and the purchaser, and, if there was still money available, I would imagine that the vessel owner could get a different unit, as part of the early adopter program, if funds were still available. Thanks.

CHAIRMAN SCHIEBLE: Dr. Frazer.

DR. TOM FRAZER: Thank you, Mr. Chair. I'm not on the committee, and I'm just trying to navigate what I heard the AP say and what I'm hearing the Science Center say, right, and so there are five units that were tested, and the AP is suggesting that probably three of them they would like to pursue, and the Science Center says, well, it may be too early to drop the other two out, but, if you're in the early adopter program, is the decision to which unit you use -- Is it up to the fishermen to make that? I don't know, and that's what I'm trying to figure out.

CHAIRMAN SCHIEBLE: That's a good question. Dr. Walter, I believe that decision is up to the fishermen, correct, and they could pick from the choices that would be in the program?

DR. WALTER: That's correct, yes. The fishermen can make that call.

DR. FRAZER: All right. Thank you.

CHAIRMAN SCHIEBLE: Mr. Diaz.

MR. DIAZ: I think this might be for Dr. Walter too, and so Leann drove a pretty good point home when she was talking about the unit that failed five times and had to make five trips back to the dock, and, every time I pass a gas station, and I look up and see the price of diesel, and I really don't know how shrimp

fishermen stay in business. I don't, because, I mean, you're talking about people burning a hundred gallons a day.

In the early adopter program, Dr. Walter, if there is a unit failure, is there any reason why these fishermen would have to come in?

DR. WALTER: No, there's no reason -- This is entirely voluntary, and there be no reason that the vessel would need to come in. Thanks.

CHAIRMAN SCHIEBLE: Mr. Strelcheck.

MR. STRELCHECK: Well, and just an added point that, even if this was a fully-implemented program, these devices are cellular devices, and so we wouldn't even know if it failed at-sea until they came back into cell range, right, and, if they're in cell range, then we would know, because it's being monitored in real-time.

CHAIRMAN SCHIEBLE: Dr. Porch.

DR. CLAY PORCH: I would just add that the vendors will have to meet some reporting standards, and so it wouldn't be that you could pick any device that you want, that you think might be performing, and so one of them would be that it has to report in an appropriate format that we can accept in our system, or whichever system is set up.

CHAIRMAN SCHIEBLE: So compatibility with the API database, correct? Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so what are the current requirements for the fishery? Is that the national technical specifications that we have for the cellular VMS, satellite VMS, because there is no technical specs for this fishery currently.

DR. PORCH: I mean, right now -- I mean, originally that was -- I think it was the OLE standards. Let me get back to you.

EXECUTIVE DIRECTOR SIMMONS: The reason that I ask is because, when the council funded the P-Sea WindPlot study, I had many vendors come to me and say what are the technical specifications for this fishery, and I think it's an important question that we need to get to the bottom of.

CHAIRMAN SCHIEBLE: Mr. Strelcheck.

MR. STRELCHECK: I think we're going to have to come back to this, and have some internal conversations between now and Full Council, and so my understanding is the money was left to the Gulf States, and LGL is now a subcontractor for this, and, you know, we, as the government, can't sole-source, or we can, but we have to justify sole-sourcing, and I don't know if the agreement with LGL, or Gulf States, stipulates kind of requirements, or standards, that the units have to meet, right, and so I think that's a key consideration here.

What I am concerned about, and I think what the industry is concerned about, is we don't want to put a bunch of units out on vessels that aren't going to work, or that don't meet our needs, and that's going to erode trust and confidence in the program, and I also don't want to push out a lot of units, during the early adopter program, that may not be approved then later by this council, right, and so making sure that, legally, we can do all of this with the contracting regulations I think is a big question for me, and so we need to get back to you, I think, during Full Council on that.

CHAIRMAN SCHIEBLE: Okay. Thank you, Mr. Strelcheck. Do we have any further questions? Dr. Frazer.

DR. FRAZER: Again, just following-up, because I'm trying to figure out what's going to happen here at Full Council, and listening to what Andy just said, and so, if you move into the second phase of this program, and there are five units out there, and so I just want to -- I am trying to navigate the expectations of the industry and the science, right, so that -- I mean, NMFS will phase the program, and what the industry saw was concern, right, and they wanted to limit the number of units, but if the second phase is just an extension, or expansion, of the science, and the industry is not going to be held accountable, right, for failures and things like that, it seems to me like, if you're going to have X number of units, and let's say there's 500, we want to have a hundred of each of those units.

I am feeling like there's going to be two sets of expectations, the industry saying I only want things that work, and the science guys are saying I'm not sure that we know which one is the best one, or what's going to work yet, and so we want to just have the full complement of things, and so do you hear what I'm saying, Andy? I just want to make sure that everybody is in agreement by the time we have this discussion at Full Council.

CHAIRMAN SCHIEBLE: Okay. Thank you, Dr. Frazer. Do we have any other comments? Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so I guess, that being said, is it possible, for the second phase, the early adopter, to come back with more results to refine this a little bit better, because it seems to me -- I think we heard, at the AP meeting, only like fifty, to maybe a hundred, units might be able to be distributed, with the funding that's available, and so I think there's a lot of concern about those not working, and not getting approved later on, and then I feel like the money is wasted, and so is it possible to get more results before this is narrowed down through this program, adopter program?

CHAIRMAN SCHIEBLE: That may be for Dr. Walter, and I see that you have your hand up.

DR. WALTER: Yes, Chair. The early adopter program will certainly give us more results, and we're expecting to get a lot more data out of it, and so that's going to tell us a number of things, and one is it will be in more places, and hopefully more vessels. Two, we'll be able to address a couple of the issues that we saw even with some of the top-performing units, such as the power supply.

In terms of -- You had asked about whether there are specifications, and I think the framework amendment has -- While it's still in draft form, it has a set of specifications that probably could be considered as guidelines for units. Since we won't have the rulemaking in place, and we need to embark upon the early adopter program, we won't have specifications for that fishery in place, but I think the guidelines are pretty clear, and they probably wouldn't change too much once that was actually formalized, and so maybe that's the information to pass to the contractor, in terms of these are the general guidelines for data transmission, integrity of the units, service, and ability for support, et cetera, that's already in the existing framework draft. Thanks.

CHAIRMAN SCHIEBLE: Okay. Thank you, Dr. Walter. I think it sounds, to me, like, in this committee, it may be best to look at possibly holding off, at least on the first part of this suggested motion from the Shrimp AP, as far as exclusion or retention of the different units for the early adopter program, but, Dr. Walter, can you explain to me -- The second part of their motion is to widely distribute results of this testing to the permit holders, and is there a mechanism that's easy for

that to be done?

DR. WALTER: We have a set of materials that are going to be going out, through a Fishery Bulletin, and then a web story, and I think the request, from the AP, was to provide a concise illustration of these results as part of that material.

Since the AP was just last week, we haven't drafted that, but we're going to try to work on that, but I think it's going to take a little bit of time, and I want to at least get the announcement for the early adopter approach out as soon as possible, but you will have to bear with our communications team on how fast we can get this concise version of the results out to people, but, yes, we agree that it's important for the fishermen to know about this and then be able to make an informed decision. Thanks.

CHAIRMAN SCHIEBLE: Thank you, Dr. Walter. I agree with you, and I think getting the results out, so that folks know before the early adopter program, and they can make their own choices then, and so would you need a motion from the council for this, or is this something that's going to take place regardless?

DR. WALTER: This will take place regardless, and we're going to proceed with this. The motion could sort of direct people in one direction or another, but I don't know that it's necessary for us to embark upon this, the early adopter approach, and to start getting the units on vessels. Thanks.

CHAIRMAN SCHIEBLE: Okay. Thank you, Dr. Walter. If there's no further questions regarding this specifically, or comments, I think I'm going to kick it back to Dr. Freeman to at least advise us, as a council, on the next steps and timing for the shrimp framework action. Dr. Freeman.

DR. FREEMAN: Yes, sir. Thank you, and so just a reminder for the committee that there was a motion, at the April meeting, asking that the draft shrimp framework action not be brought back to the council until NMFS had completed this side-by-side testing.

The council also passed a motion revising Alternatives 2 and 3 in the document, and so I will note that the IPT needs to review those, and will likely do so after this council meeting, and so, as far as direction, if the committee, as well as Full Council, would like the IPT to explore the continued development of the draft framework action, beyond Chapters 1 and 2, we would need direction on that, or, if there are additional results, such as

the discussion about those from like the early adopter program, if folks would like for us to wait until that, any direction, like I said, in terms of development of the current draft framework action would be helpful for staff.

CHAIRMAN SCHIEBLE: Okay. Thank you, Dr. Freeman. Do we have any comments regarding that within the committee? Mr. Strelcheck.

MR. STRELCHECK: I still see, obviously, a lot of work ahead, in terms of the testing and the early adopter program, and that's going to continue to inform us as we go forward, and those will be important results that the center and others can bring back to us.

I think, given where we're at though, it would be good to dust off the amendment and start working on it again, as that information develops and becomes available in 2024, and so I would recommend that we bring this back in January and begin discussions again on the amendment.

CHAIRMAN SCHIEBLE: Okay. Thank you. I agree with you, and I think, you know, bringing it back, sooner than later, at least for the committee to look at and go through and see how each of those alternatives will mesh with the new systems that we've tested, versus what we had when the document was first drafted, will be beneficial.

Also, a timeline, and I don't know if Dr. Simmons can better answer this maybe, but does that mesh with the early adopter program, to be able to bring it back in January, if that's being implemented at the same time? It doesn't matter?

EXECUTIVE DIRECTOR SIMMONS: I don't know, and I can't recall what the timeline is on the early adopter program. Sorry.

CHAIRMAN SCHIEBLE: Thank you. Okay. Well, there we go. I guess, if there's no other comments on that, I will go back to Dr. Freeman for the action guide and next steps.

DR. FREEMAN: Yes, sir. For the next agenda item, the committee will be presented with any remaining AP recommendations that were not covered under other agenda items and determine if they wish to take any action on the AP's recommendations.

CHAIRMAN SCHIEBLE: Ms. Bosarge, could you please give us the remaining items from the Shrimp AP meeting?

MS. BOSARGE: Yes, sir. I will do my best, because we did cover some other things that the AP felt were very important, and I just wanted to thank Andy for his comments. I appreciate that, that you are thinking about the industry, and that trust element, and the buy-in, and making sure that we don't put things on the boat that are probably not going to work. We've got enough headwinds going against us right now, and I appreciate that.

As far your tech specs, the ones that Dr. Walter referred to, that are the ones that I wrote, that he was talking about that might could be used for vendors that are in your document, I just will note that there is a requirement in there that those devices must attain and record at least 95 percent of the required ten-minute interval position fix data in a twenty-four period for each twenty-four-hour day of at-sea testing, and your NEMO and your Tracker One didn't meet that requirement, and so just -- I put it in there for a reason, because we didn't want to use things that don't work, and so just, I don't know, brush up, and see if you like it, see if you can find enough warm fuzzy, Andy, to not exclude something, but exclude something, and so all right, and let's move on with the committee report.

Discussing a Collaborative Path Forward to Understanding the Inshore Shrimp Effort to Inform Sea Turtle Restoration Efforts in the Gulf of Mexico, I think I can sum that up that the AP was generally not supportive of participating in this project.

The Update from BOEM on the Gulf Wind Energy, the two things that I think are important, and there is a motion there, and the AP was a little worried that, with the new proposed critical habitat for Rice's whale and the green sea turtle and the corals, lots of different things that are coming out on critical habitat, that, because those aren't actually in place yet, and they're just proposed rules, we wanted to make sure that NMFS is still going to have to have some consultation, moving forward, and we're thinking about that prior to any wind development actually occurring, because what we see, from the shrimp industry's perspective, as far as mammals and things like that, and interactions with endangered species, is, when the oil industry screws it up and kills some of them, we end up paying the price.

You end up trying to find a way to make us have fewer

interactions to rebuild what they messed up, and, I mean, look at BP, and we're going through that right now in our industry, and so we don't want that to end up on our backs. If you think that there could be noise from these windmills that's going to interfere with these whales, we want you to put it out there to BOEM now, and be on the frontside of this, because, once the windmills go into place, it's just like the windmills that you -- You have an oil platform, at one point anyway, in the middle of the Flower Garden Sanctuary, because it was there before you designated it, and so you can't get rid of it at that point, and it's there, and so we want you to be thinking about that on the frontend.

The other thing that the Shrimp AP brought up is that we're seeing some of these windfarms on the east coast that are out there, and, all of a sudden, they're no longer profitable. Interest rates have gone through the roof, and that changes the dynamics of the economics of these entities and their contracts from what they're going to get paid per kilowatt hour, or whatever it is, of this energy, and so there's a possibility now that these things can be sitting out there idle, because they're not profitable, but they're still out there taking up trawlable grounds, right, and so, in the oil industry, if you have an oil platform that is no longer producing oil for this country, energy for our people, then there's a requirement that says, after X number of years of it not producing energy anymore, you've got to get it out of there and give that bottom back to the other user groups in this country that are producing something for the nation, and that would be us, producing protein by shrimping those grounds, and so they don't have that in place for the wind energy yet.

We're seeing that this is a real possibility, and we want to make sure that idle iron NTL goes into place in the Gulf of Mexico, right alongside the installation, and we don't want it after the fact, and we want to know, going into it, that you're going to get it back out of shrimp grounds if it's not producing anymore.

You can see that all of this is kind of reflected in that motion there from the Shrimp AP to continue to go through this process with NMFS and make sure that we're on top of this, to minimize any adverse impacts on the shrimp industry.

The next item on our agenda was the update on the reinitiation of the shrimp bi-op, due to sawfish and giant manta rays, and we had a lot of good conversation about this, and we really got into some details, and I thought there was some good questions

asked.

Generally speaking, I would say that the AP was a little worried about there not being enough interaction with the fishermen in this process, with the fishing industry, and we want to make sure that we have a voice in this, that we're telling you what we see, and you tell us what you see, and we can groundtruth each other, right, and so we do want to make sure that we somehow have a larger voice in that and a seat at the table.

All right, and so the next agenda item was the Endangered Species Act Listing and Critical Habitat Rule Update, and so, in this presentation, we actually -- It was sort of like four presentations in one, and so there's all these different critical habitat designations going on at the same time right now within NMFS, or recently close to each other, relatively close to each other, and a couple of them I want to point out.

Let's do the Rice's whale first, and so -- Well, we'll start with the sea turtle, because that's the one right there, and the green sea turtle is on the board, and so let's start with that one.

We did pass a motion, and the motion references a comment letter that was submitted by the Southern Shrimp Alliance, which is an industry trade group that represents all the Gulf states, as well as the South Atlantic states, that produce shrimp, and so they wrote a letter really having some reservations about the proposed critical habitat designation for the green sea turtle, and I will just -- You really should read the letter, okay, and it's very well written, and it's rather lengthy, and I won't do it justice here, but to give you some kind of idea about what our reservations are there.

With the green sea turtle habitat designation, and so there's 284 references to unpublished data in the biological report, and literally 100 percent of the sixteen citations for the stranding data in Table 3 of the biological report are for unpublished data. There are references, and reliance, on unpublished shrimp trawl bycatch, and so these are all unpublished data, and you would have to assume that that has not been subject to the same rigorous peer review standards that are in place for published data that have to go through that type of peer review.

We are worried about the heavy reliance on unpublished data in this, and the other thing that really concerned us is this idea of these conservation values that are being placed, and they're not -- They're not quantitatively crafted, and it's more of a

qualitative justification, given at a high, medium, or low conservation value, and that is what dictates should be critical habitat or not, and so we have some reservations about that as well.

All of these -- When you start bringing all of these things together, it undermines the confidence that the industry has in the reliability of the conclusions that are drawn in that proposed rule, and this can have implications for our industry later on, and this will not, in itself, cause us to have regulations. However, there will eventually be a biological review, and this will be part of it. It will come up, and there may be reasonable and prudent measures, which, i.e., more regulations on our fishery, in order to make sure that we're in compliance.

We just want to see quantitative, hardcore data that is really justifying this, and not quite so much touchy-feely, and we want to see some numbers.

The Rice's whale, the critical habitat for that, and so, right now, I think the proposed rule -- The depth contours that they want to use are a hundred meters through 400 meters, if I remember correctly, and is that right, Andy? Is that top line right, the 400? Okay.

So our -- Again, this is going to reference -- This motion from the Shrimp AP references another letter that the Southern Shrimp Alliance wrote and submitted as public comment for this critical habitat designation, and I'm sure that Dr. Freeman, or Dr. Simmons, can get you all of these letters, if you would like to see it, and I won't do it justice, but I will try and quickly kind of highlight the things that we are concerned by in the shrimp industry.

If you look at the actual observational data, and like I put my eyes on the whale kind of data, right, and not modeled, but I saw it, and so those data suggest that the critical habitat area should be much deeper than what you have it listed at right now, deeper than that hundred-meter isobath, and it should be -- It suggests that it should be closer to the 150-meter isobath. That is important because of this.

If you look at your shrimp data, and your effort, that you have at your disposal from our ELBs, you will see there is significant shrimping effort, from that data at least, all the way out to about 120 meters, and so, if this whale is not really in this hundred meters, and you don't have any physical

observations of it being there, and we're modeling it to be there, then we are likely creating a problem between stakeholders that does not exist, that you will have to deal with, and regulate, when it's really not an issue. They really aren't overlapping. Do you see what I'm saying, and so it's important to get this cutoff right.

There is one predictive model that is referenced in that proposed rule, in the data behind it, and that predictive model even points to the 200-meter isobath as being an important area that those whales occupy, and there's only one predictive model that is putting it shallower, and that is a yet-to-be-published paper, and so that's not a published model, a published paper, yet, and that's the one that says it might should go into that hundred-meter isobath, but you don't have hardcore eyes on the whale in that depth, and you have one predictive model that puts you closer to 200, and so the shrimp industry is asking, through the Southern Shrimp Alliance, what I thought was fairly conservative, and we only asked you to go out to the 120 meters, when, really, your data puts you at closer to 150 to 200.

If you read further in the letter, we also give you some rationale for backing out that 400-meter isobath contour, back it up to about that 350, because what you're getting into there is your royal red grounds, and that's your royal red shrimpers. They shrimp in that deeper water, and, when I said that 120 earlier, 120 meters, I guess that I should be specific, and I'm talking about brown, pink, and white, okay, and not royal reds. I'm talking about your penaeids, brown and pink and white, penaeid.

Pass the letters along, if you can, so that they can read the full letter, but I think this is important for the council to think about, because it's going to land on your plate later. It probably will be better if we can make sure we get those lines where they really should be in the first place and be forward-thinking about it.

All right, and the only other item under that agenda item -- So it's the listing of these five Caribbean corals as endangered species, under the Endangered Species Act, and it really caught all of us by surprise, because we had not heard about this year, and it's already final. It's in place, and it's been done, and I think you all heard about it for the first time at your August meeting, and so it got presented to us now, but it's already been implemented, and it's never been before the Shrimp AP, and, when I looked at the timeline, I think Protected Species has been working on that, off and on, since 2014, and I was on this

council from 2013 to 2022, and, for the life of me, I cannot remember it ever being presented, and it was a huge area down in the Keys that is being taken in as critical habitat.

We didn't get much background on it, just looking at it, and it looks like there's probably a lot of modeling that was possibly involved in it, and we had some reservations about that, and we would like to see the data, and maybe even see the council write a letter to NMFS and say, hey, you know, I know you've already done this, but you didn't present it to us until the last hour here, and we didn't get any feedback from our APs, and it seems to be something they're concerned about, and so we're having hell in our industry right now.

We're at a precipice. The shrimp prices have bottomed out, because the imports have finally gotten to the point where it's not just -- They're not just depressing our price anymore, but they have filled up all the freezers in this country, and there's not enough people to even go buy them, and so the demand is gone, and so we're doing good if we can find somebody that will unload the boat.

About the only shrimp, brown, pink, and white, that there's still a little bit of a market for, that we can sell our shrimp, find somebody to buy them, is pink, and I'm not sure why that it is, and maybe because they don't raise them in ponds overseas, and I don't know, and that critical habitat designation for those corals -- That's down in our pink shrimp grounds, and we're worried that's going to come back to bite us, that somehow that's going to end up in regulations.

We just want to see the science that it was based on and see, you know, how you came up with that, and why you didn't present it to us earlier, so we could give you feedback, if maybe it should have been tailored a little bit more, and so we hope the council will take that up with NMFS, and that's about the only thing we've got left going for us at this point. I think that's it, but let me make sure.

CHAIRMAN SCHIEBLE: Thank you, Ms. Bosarge. I almost had to invoke the public comment buzzer.

MS. BOSARGE: You're shutting me down?

CHAIRMAN SCHIEBLE: We're getting close on time.

MS. BOSARGE: Well, that's it. I'm at the end.

CHAIRMAN SCHIEBLE: Perfect timing, as usual. Thank you. The final item on the agenda is Other Business, and I will let Dr. Simmons kick that off, and then I believe that Dr. Walter has a couple of items to go through.

OTHER BUSINESS

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so we may have to come back to this at Full Council too, but I will just put the request out there that the council sent a letter to Dr. Werner, after Evan Howell gave us a presentation, Dr. Howell gave us a presentation, regarding the climate resilience, the IRA funding, and I think there was some idea that the data acquisition, the data -- I think it's called the Essential Data Collection and Advanced Technologies portion, or pot, of funding, if that potentially could be used to help with advancing technologies in the shrimp fishery.

We did send that letter, and we did talk about it, just briefly, at the Council Coordination Committee last week, and we were told that there is some regional spend plans that may be coming out, and we didn't know how that might fit in with this, but, if you had any updates for us, Andy or Clay, that would be great, on that letter.

DR. PORCH: We've read the letter, and we're considering it. The bottom line is the spend plans have been pretty well developed, and so what we're looking at now is if there's any gaps, any funds available, and there's a lot of things in the queue and so, at this point, no decisions, no firm decisions, have been made, but it would fall in a long queue, and so I don't have any good insights of whether it could be funded or not through IRA.

EXECUTIVE DIRECTOR SIMMONS: Just one quick follow-up. Thank you, and so the other thing that was discussed is the councils, the regional management councils, potentially updating their research and monitoring priorities to help with this effort, and is that futile at this point, that the spend plans are already pretty fully vetted and it's not useful for us to update those? We would be normally next year, under our five-year budgeting process, but this would be a more focused, I guess, effort, and I think that was briefly discussed at the national level, but it hadn't trickled down, I guess, to the regional level, if that's something they wanted us to do, but we can circle back at Full Council, and I will just put that out there. Thanks.

CHAIRMAN SCHIEBLE: Okay. Thank you, Dr. Simmons. Mr. Gill.

MR. GILL: Thank you, Mr. Chairman. Before it escapes us, Leann mentioned the possibility of the two letters regarding sea turtles and Rice's whale comments from SSA, and could we ask Dr. Freeman to provide those to council prior to, for consideration? At the AP, which I attended, I was impressed with the rationale that was given verbally as to those, but I would like to understand it better before we get into whether we follow those up with a council motion. Thank you.

CHAIRMAN SCHIEBLE: So you would like those before we get to Full Council, or are you talking about before the January Shrimp Committee meeting?

MR. GILL: Before Full Council, because that's where we're going to discuss what we're doing here in committee.

CHAIRMAN SCHIEBLE: Yes, and I agree. I was just making sure that's what you meant. Dr. Freeman, is that possible? Did you hear what Mr. Gill asked for?

DR. FREEMAN: Yes, sir, I did, and I sent a PDF version of those two letters to our admin staff earlier this morning, just in anticipation that a committee member may request that, and so I will verify with them that they can get that sent out before Full Council.

CHAIRMAN SCHIEBLE: Thank you, Dr. Freeman. As usual, you're ahead of us. Mr. Strelcheck.

MR. STRELCHECK: Well, I will just add -- I mean, I can't speak, obviously, for the council and what you want to do with regard to industry letters, but the agency has an obligation, obviously, and we've gone out, and we've solicited public input and comments, and so now we're reviewing that public input and comments on our rulemakings, and certainly we'll consider that as far as any sort of further development of the final rule, just like the council would do any sort of rulemaking as well.

CHAIRMAN SCHIEBLE: Thank you, Mr. Strelcheck. I see Dr. Walter has his hand up, and I want to ask you a quick question before you speak, and so are you available Thursday? Are you going to be on the call during the Full Council period, where possibly you could give the presentation on the early adopter program, or is that something that Executive Director Simmons wants to do now? It's these last three agenda items, Tab D-6(a), 6(b), and 6(c), and are we wanting to do those during Full Council? Are you available, Dr. Walter, or do you want to do that now?

DR. WALTER: I would be available, and I think we could pretty much knock that out by saying that the handouts are available, and we don't even need a presentation. I do have one other very short comment to make.

CHAIRMAN SCHIEBLE: Go ahead, please.

DR. WALTER: So one of the things that we're working on is trying to find synergies between the turtle project, which is to implement effort monitoring in inshore waters, mostly in state waters, but, because most federally-permitted vessels are also state-permitted, those vessels may also be applicable to that, and that project has a substantial amount of funding available to it, and so, if there are synergies that could be made between the turtle project and the early adopter program, it could be very valuable, particularly because I think one of the AP's goals is trying to implement --

To ensure that the new effort monitoring has the minimal economic impact on the fishery, and so, if they could be vessels to get effort monitoring units through the turtle program, maybe in a similar way as the early adopter program, and we're exploring that, and I know that the AP was not a fan of the turtle project, but the reality is that effort needs to be monitored, and it's an essential element of what allows the fishery to be authorized under the biological opinion, and so more data is actually better data to inform the process, and, if they can get free units, I think that's something that might be palatable. Anyway, more to come on that. Thanks.

CHAIRMAN SCHIEBLE: Thank you, Dr. Walter. Do we have any other further comments, or questions, around the committee? Seeing none, Dr. Freeman, do you have anything further, before signing-off?

DR. FREEMAN: That's all. Thank you, Mr. Chair.

CHAIRMAN SCHIEBLE: I appreciate it. Back to you, Mr. Chair, and that concludes the Shrimp Management Committee.

(Whereupon, the meeting adjourned on October 23, 2023.)

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