

**Shrimp Committee Report  
August 23, 2021  
Leann Bosarge, Chair**

The Committee adopted the agenda (**Tab D, No. 1**). The Committee approved the minutes (**Tab D, No. 2**) of the June 2021 meeting as written.

**Update on Effort Data Collection for 2021 (Tab D, No. 4)**

Dr. Lowther presented an update on the shrimp cellular electronic logbook (cELB) interim data collection process. The cELB units ceased transmitting in December 2020; however, the cELB units are still collecting data. The data will first be manually collected by the Southeast Fisheries Science Center (SEFSC) via San Disk (SD) cards, and then the Gulf States Marine Fisheries Commission (GSMFC) will load data onto their server within one month of receiving SD cards. Dr. Lowther further reviewed the steps and timeline for maintaining the data collection. He noted that the process of manual data collection via SD cards would be repeated in the fall and thereafter as needed. Of the 493 replacement SD cards sent out June 1, 2021, 212 SD cards have been returned to the SEFSC. Within the first batch of cards sent to the GSMFC, 95 of the 103 cards contained data, although the data still needs to be analyzed to confirm it is usable. Dr. Lowther stated that reminder postcards would be sent to those who have not returned SD cards and encouraged discussion from the Shrimp Committee on how to improve the return rate.

Mr. Riechers noted that half of the SD cards had been returned and that almost 100% of the first batch had data. He inquired if the second batch sent to the GSMFC would be similar to the first batch in terms of having data. Dr. Lowther replied that he did not anticipate any issues with the second batch. Mr. Riechers asked what the expected return rate is for SD cards and how that relates to past reporting. Dr. Lowther replied that it would be difficult to compare current reporting with past reporting since the SEFSC was able to replace non-functioning antennas more quickly. Previously, data were transmitting via cellular network, so problems could be identified quickly. Currently, a delay exists in discovering if data are unusable. Mr. Riechers asked if the number of reports being returned across a stratified sample in the Gulf was similar to what occurred prior to the manual collection of SD cards. Dr. Lowther replied that it was too early in the process to know.

Ms. Bosarge asked how the orders of additional SD replacement cards were proceeding and if that would impact the ability to have data collection twice a year as was originally planned by the SEFSC. Dr. Lowther stated the order for the next batch of SD cards had not been placed yet. Ms. Bosarge stated that she would like an update on the expected delivery date for the SD cards at full Council if possible, or alternatively at the next Council meeting, in case an adjustment to the current SD card mail-out process is needed.

## **Draft Framework Action: Modification of the Vessel Position Data Collection Program for the Gulf of Mexico Shrimp Fishery (Tab D, No. 5a-e)**

Dr. Freeman reviewed the Purpose and Need statements and noted the changes to the Purpose statement made by the Council at its June meeting. He reviewed potential draft options under Action 1 which considered maintaining data collection from a sample of the industry, as well as expanding data collection to a census level. He then reviewed draft options for when the devices should be collecting data, which included South Atlantic VMS language which specifies the devices are collecting data when on a fishing trip, as well as draft Action 2 with VMS power down exemptions.

Mr. Diaz noted that the Purpose statement contains the language “while minimizing the economic burden on the industry to the maximum extent practicable.” He commented that the Purpose statement seems to lend itself to Option a. He further stated that if the current data collection program provides what is needed, there is no need to expand it. Mr. Schieble stated that he did not see what an expanded data collection program would provide in terms of benefits. Mr. Strelcheck responded that the challenge with the current program is that it is a static sample and not statistically designed to rotate to other permit holders, with minor changes as permits are transferred. Therefore, only the owners or operators of a shrimp vessel that had been selected to participate bear the cost burden of this data collection program.

Ms. Bosarge stated that about  $\frac{1}{4}$  of the industry has latent permits, and those individuals would also be forced to incur program costs, if census-level data collection was selected as preferred. Mr. Strelcheck commented that it was fine if the Committee wanted to include Option 2b and 3b, but not consider them to be the preferred option. On the other hand, if the Committee wanted to remove Option b, then the language of Option a could be incorporated back into the language of Alternatives 2 and 3 as it was previously. Although not on the Committee, Mr. Gill stated that the pressing need is to solve the issue of getting data to the Science Center. He stated that VMS is not designed for the purpose of scientific data collection. Mr. Diaz stated he was debating whether to move Options 2b and 3b to Considered but Rejected, or to leave them for further consideration.

Dr. Walter commented that, as will be seen in Ms. Lee’s presentation later in the agenda, an improvement to bycatch monitoring spatially and temporally would improve the quality of information. Dr. Froeschke added that there is a requirement to either maintain or improve the quality of sea turtle monitoring. He added that there are some practicable benefits such as addressing the scaling of a sample for red snapper bycatch and having to assume that the composition of the industry has not changed. Census-level collection would avoid that issue. Mr. Riechers stated that they need to take the most expedited approach to solving the data collection program issue in front of the Council. Ms. Bosarge requested that the current sample size stay the same and that census-level not be considered in the document in order to stay focused on the more pressing task at hand.

The Committee recommends, and I so move:

To not incorporate draft options 2b and 3b in Action 1 of the draft framework action:

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

**Option 2b:** All owners or operators of a shrimp vessel with a valid or renewable SPGM would be required to install an approved device, as defined in the alternative.

**Option 3b:** All owners or operators of a shrimp vessel with a valid or renewable SPGM would be required to install an approved device, as defined in the alternative.

*Motion carried without opposition.*

Ms. Bosarge next addressed the draft Action 2 and whether the VMS would need to be on at all times, or have power down exemptions. She noted that if effort data are only needed when a vessel is shrimping, then only that language would be needed in the document. Mr. Anson inquired if the language would need to say 'trip' or 'fishing trip'. Ms. Levy stated that 'trip' is defined in 50 C.F.R. § 622.2 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." This definition applies to all of the Gulf, South Atlantic, and Caribbean regulations unless the term is defined differently in a particular provision. Mr. Anson suggested further defining 'trip' at a future Council meeting.

The Committee recommends, and I so move:

In Action 1, to add the following language to Alternatives 2 and 3.

**Alternative 2:** 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 vessel monitoring system (VMS) that archives vessel position "when on a fishing trip in the Gulf of Mexico" and automatically transmits that data via cellular service to NMFS.

**Alternative 3:** The owner or operator of a shrimp vessel with a valid or renewable SPGM would be required to install an approved electronic logbook that archives vessel position "when on a fishing trip in the Gulf of Mexico" and automatically transmits that data via cellular service to NMFS.

*Motion carried without opposition.*

Ms. Bosarge noted that Alternative 2 should be explicit in stating that it formally implements a VMS program for the shrimp fishery.

The Committee recommends, and I so move:

In Action 1, Alternative 2, to add the following language:

**Alternative 2:** “Implement a VMS requirement for the Gulf shrimp fishery.” 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 vessel monitoring system (VMS) that archives vessel position “when on a fishing trip in the Gulf of Mexico” and automatically transmits that data via cellular service to NMFS.

*Motion carried without opposition.*

Based on the preceding Committee motions, the following would be the language of Alternatives 2 and 3:

**Alternative 2:** Implement a VMS requirement for the 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 vessel monitoring system (VMS) that archives vessel position when on a fishing trip in the Gulf of Mexico and automatically transmits that data via cellular service to NMFS.

**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 electronic logbook that archives vessel position when on a fishing trip in the Gulf of Mexico and automatically transmits that data via cellular service to NMFS.

Mr. Strelcheck noted that, despite calling it an electronic logbook, he believes the agency’s position is that the device would still be considered a VMS, and therefore Alternatives 2 and 3 seem to be the same. Dr. Freeman confirmed that was the understanding of the IPT. Further, the IPT was constrained in developing a reasonable range of alternatives given that §600.1500 provides the definition that “*Vessel Monitoring System (VMS)* means, for purposes of this subpart, a satellite and/or cellular based system designed to monitor the location and movement of vessels using onboard VMS units that send Global Positioning System position reports to an authorized entity.” Ms. Bosarge noted that the Committee had requested a reasonable range of alternatives prior to being presented with the first draft of the document and that the Committee offered reasonable options which were not related to VMS units, as VMS units have not historically been the method for collecting primary effort data in commercial fisheries in the Gulf. She stated the information contained in the next agenda item, the Comparison Table of Draft eELB Specifications and Current NOAA OLE VMS Specifications, would provide additional clarification on the differences between Alternatives 2 and 3 and would hopefully be helpful for not only the Council, but also the IPT as they further develop these two alternatives in the document.

Agenda items 5c-e will be addressed in Full Council.

Mr. Strelcheck recommended including satellite again as a mechanism to transmit data with Alternatives 2 and 3, given that some vessels have to use satellite for other permits requiring VMS. At its June 2021 meeting, the Council removed satellite-based transmission of data from consideration in this document, as the cost was thought to be prohibitively expensive and not a viable option for the fleet.

## **Section 7 Consultation on the Shrimp Industry and Protected Species (Tab D, No. 6a-b)**

Ms. Lee presented on the 2021 biological opinion on Endangered Species Act (ESA) sea turtle conservation regulations and Magnuson-Stevens Fishery Conservation and Management Act federal shrimp fisheries. She reviewed the sections in a generic biological opinion. She noted that reinitiation was triggered by multiple items: new listed species under the ESA, new sea turtle bycatch information, and the December 2019 Final Rule requiring TEDs for a portion of the skimmer trawl fisheries. The proposed action includes authorization of shrimp trawling in the EEZ under both the Gulf and South Atlantic Fishery Management Councils' Shrimp Fishery Management Plans. The biological opinion also includes that status of all listed species; there is no critical habitat to be included for this specific case.

Ms. Lee noted that the consultation considers, among other effects, the effect that an exemption on sea turtle takes via sea turtle conservation regulations have on listed species. For each listed species likely to be adversely affected, the effects are quantified with estimates of bycatch/capture and mortality in an annual context. The biological opinion concluded that the proposed action is not likely to jeopardize the continued existence of any of the listed species that may be adversely affected.

Ms. Lee reviewed the anticipated total take over a 5-year period of multiple sea turtle species. She noted that fishing effort and observer data must be collected in order to produce take estimates over 5-year periods. Conservation recommendations included gear/sea turtle investigations and monitoring/data improvements.

Mr. Schieble asked what the most recent sea turtle stock assessment showed in terms of long-term population trends. Ms. Lee stated that information on the most recent stock assessment can be reviewed in the Status of the Species section and that the long-term trends were different for each species. She noted green sea turtles as an example of species with an increasing trend that was accounted for in the take estimates.

Dr. Frazer inquired about the uncertainty in the estimates and, in particular, if and how effort data contributed to the uncertainty. Ms. Lee stated that the Babcock et al. (2018) publication reviews uncertainty in the data and the estimates, and she concurred that uncertainty in fishing effort contributes to uncertainty.

### **Other Business**

No other business was brought up by the Committee.

Mr. Chair, this concludes my report.