

NEWLY PROPOSED REQUIREMENTS IN THE SOUTHEASTERN SHRIMP FISHERIES AND THE NEW SHRIMP BIOLOGICAL OPINION

Frequently Asked Questions

May 8, 2012

What new requirements are being proposed by NOAA Fisheries Service?

- Skimmer trawl, pusher-head trawl, and wing net (butterfly trawl) vessels are currently allowed to use limited tow times in lieu of turtle excluder devices (TEDs). Tow times are the amount of time a net is pulled underwater; limited tow times reduce the number of turtles that drown.
- NOAA Fisheries Service has proposed to withdraw the tow time requirement and require all skimmer trawl, pusher-head trawl, and wing net (butterfly trawl) vessels rigged for fishing to use TEDs in their nets.

Why is NOAA Fisheries Service proposing new TED requirements?

- The agency is proposing these new TED requirements because tow times are difficult to enforce and because the agency has received information that tow time requirements are exceeded by vessels with skimmer trawls, pusher-head trawls, and wing nets (butterfly trawls).
- If finalized, this rule will be the next step in a long-term strategy for sea turtle conservation. NOAA Fisheries Service sea turtle conservation strategy focuses on ways to reduce bycatch throughout the Atlantic and Gulf of Mexico fisheries.
- The proposed TED requirements are intended to further reduce incidental bycatch (sea turtles caught unintentionally) and mortality of threatened and endangered sea turtles in the southeastern shrimp fisheries in accordance with the Endangered Species Act (ESA). TEDs may also reduce bycatch of additional species such as sturgeon and other fish.
- Additionally, state and federal scientists documented an increase in sea turtle strandings throughout the northern Gulf of Mexico in 2010 and 2011.

Who would be affected by the proposed requirements in the southeastern shrimp fisheries?

- All fishermen using skimmer trawls, pusher-head trawls, and wing nets (butterfly trawls) in both state and federal waters from Texas through North Carolina.

What is a TED and how much does it cost?

- A TED is device which includes an opening to allow sea turtles to escape from trawl nets.
- TEDs for the shrimp fisheries cost between \$300 and \$400 per net, and are available at numerous net shops.

Where can I find information on the proposed requirements?

- The proposed rule and request for public comments are available in the *Federal Register*. Additional information is posted on the NOAA Fisheries Service, Southeast Regional Office website (<http://sero.nmfs.noaa.gov/pr/pr.htm>).
- Additionally, NOAA Fisheries Service distributed *Fishery Bulletins* to industry representatives, state agency partners, media, and other constituents.

When would I have an opportunity to comment in person on the proposed requirements?

- There will be several opportunities to comment on the proposed requirements. Five public hearings have been scheduled in May and June 2012 to solicit public comment on the newly proposed requirements. The dates, times, and locations of the meetings are as follows:
 1. *Morehead City, NC* – May 30, 2012, 2pm-4pm, Crystal Coast Civic Center, 3505 Arendell Street, Morehead City, NC 28557.
 2. *Larose, LA* – June 4, 2012, 6pm-8pm, Larose Regional Park and Civic Center, 307 East 5th Street, Larose, LA 70373.
 3. *Belle Chasse, LA* – June 5, 2012, 4pm-6pm, Belle Chasse Community Center, 8398 Highway 23, Belle Chasse, LA 70037.
 4. *D'Iberville, MS* – June 6, 2012, 4pm-6pm, L.H. “Red” Barnett Senior Center, 10450 Lamey Bridge Road, D'Iberville, MS 39540.
 5. *Bayou La Batre, AL* – June 13, 2012, 2pm-4pm, Bayou La Batre Community Center, 12745 Padgett Switch Road, Bayou La Batre, AL 36509.
- Additionally, public comments on the proposed rule may also be submitted during a concurrent 60-day comment period electronically, or by mail or fax as follows:
 1. Electronic Submissions: Submit all electronic public comments via the Federal e-Rulemaking Portal using identification number 0648-BC10: <http://www.regulations.gov>.
 2. Mail: Michael Barnette, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.
 3. Fax: 727-824-5309; Attention: Michael Barnette.
- Public comments on a draft environmental impact statement (DEIS) may be submitted during a 45-day comment period electronically or by mail or fax. Please include the phrase “Sea Turtle DEIS” in the subject line of the letter, fax, or e-mail.
 1. E-mail: Michael.Barnette@noaa.gov. Subject line: Sea Turtle DEIS.
 2. Mail: Michael Barnette, Southeast Regional Office, Protected Resources Division, 263 13th Avenue South, St. Petersburg, FL 33701.
 3. Fax: 727-824-5309; Attention: Michael Barnette, Sea Turtle DEIS.

Did NOAA Fisheries Service analyze the effects of southeast shrimp fisheries on sea turtles and other endangered or threatened species?

- Yes, NOAA Fisheries Service analyzed the effects of the proposed rule to require TEDs in skimmer trawls, pusher-head trawls, and wing nets (butterfly trawls) on sea turtles and other listed species in a DEIS. The DEIS includes several management alternatives aside from the proposed rule, and information on the effects of all the alternatives, including the proposed rule, to the physical, biological, human, and administrative environments.
- Additionally, NOAA Fisheries Service analyzed the effects of southeast shrimp fisheries on sea turtles and other listed species in an ESA biological opinion. The biological opinion considers the effects of the TED regulations as proposed and the effects of southeastern shrimp fisheries in federal waters.
- The DEIS and biological opinion are posted online at <http://sero.nmfs.noaa.gov/pr/pr.htm>.

What did NOAA Fisheries Service conclude in the biological opinion?

- The biological opinion analyzed the continued implementation of the existing TED regulations and future implementation of the proposed rule. The analysis shows shrimp fisheries are not likely to jeopardize the continued existence of listed sea turtles.
- The new biological opinion requires NOAA Fisheries Service to minimize the impacts of bycatch through monitoring of shrimp effort and compliance with existing TED regulations, conducting TED training and outreach, and continuing to research the effects of shrimp trawling on listed species.
- The biological opinion shows that compliance with TED regulations substantially reduces the number of sea turtles captured and killed. NOAA Fisheries Service will continue to work with the shrimp industry and law enforcement to ensure TED compliance.

What effect does the proposed rule have on observer requirements for skimmer trawl, pusher-head trawl, and wing net (butterfly trawl) vessels?

- The proposed rule has no effect on the observer program requirements. NOAA Fisheries Service currently requires skimmer trawl, pusher-head trawl, and wing net (butterfly trawl) vessels, if selected, to carry observers. Observers collect catch and bycatch data from U.S. commercial fishing vessels to assist in the fishery management process.
- Observers are actively collecting data on the actual numbers of sea turtles caught in skimmer trawls, pusher-head trawls, and wing nets (butterfly trawl).
- NOAA Fisheries Service will consider the results of the observer program in any final rulemaking.