

# **NEWLY PROPOSED REQUIREMENTS IN THE SOUTHEASTERN SHRIMP FISHERIES**

## **Frequently Asked Questions**

**December 16, 2016**

### **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—with the exception of vessels participating in the Biscayne Bay wing net fishery prosecuted in Miami-Dade County, Florida—to use TEDs designed to exclude small turtles 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). As a result, the agency is no longer confident tow times are effective sea turtle conservation measures for the skimmer trawl, pusher-head trawl, and wing net fisheries.
- 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.

### **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, with the exception of vessels participating in the Biscayne Bay wing net fishery prosecuted in Miami-Dade County, Florida.
- Wing net vessels operating in Biscayne Bay off Miami, Florida, would be exempted from this requirement. The Biscayne Bay wing net fishery operates by sight fishing at the surface using small, light monofilament nets. At this time, the agency does not believe this fishery presents a threat to sea turtles.

### **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 \$325 and \$550 per net, and are available at multiple net shops.

### **Are the proposed TED requirements different than existing TED requirements for other vessels?**

- Yes, the proposed TED requirements are designed specifically to help exclude small sea turtles that occur in shallow (e.g., < 60 feet in depth), coastal waters where skimmer trawls, pusher-head trawls, and wing nets operate.
- The proposed TED requirements include several configurations that utilize a TED grid with 3-inch (7.6 cm) bar spacing (i.e., less than the current 4-inch bar spacing maximum) and escape-opening flap specifications with lighter webbing that would allow small turtles to effectively escape the trawl net.

### **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/protected\\_resources/sea\\_turtle\\_protection\\_and\\_shrimp\\_fisheries/](http://sero.nmfs.noaa.gov/protected_resources/sea_turtle_protection_and_shrimp_fisheries/)).
- 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. Six public hearings have been scheduled in January 2017 to solicit public comment on the newly proposed requirements. The dates, times, and locations of the meetings are as follows:
  1. *Larose, LA* – January 9, 2017, 4 pm - 6 pm, Larose Regional Park and Civic Center, 307 East 5th Street, Larose, LA 70373.
  2. *Gretna, LA* – January 10, 2017, 12 pm - 2 pm, Coastal Communities Consulting, Inc., 925 Behrman Highway, Suite 15, Gretna, LA 70056.
  3. *Belle Chasse, LA* – January 10, 2017, 4 pm - 6 pm, Belle Chasse Community Center, 8398 Highway 23, Belle Chasse, LA 70037.
  4. *Biloxi, MS* – January 11, 2017, 4 pm - 6 pm, Biloxi Visitor's Center, 1050 Beach Boulevard, Biloxi MS 39530.
  5. *Bayou La Batre, AL* – January 12, 2017, 10 am - 12 pm, Bayou La Batre Community Center, 12745 Padgett Switch Road, Bayou La Batre, AL 36509.
  6. *Morehead City, NC* – January 18, 2017, 12 pm - 2 pm, Crystal Coast Civic Center, 3505 Arendell Street, Morehead City, NC 28557.

- 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-BG45: <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](mailto: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 the 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.
- The DEIS is posted online at [http://sero.nmfs.noaa.gov/protected\\_resources/sea\\_turtle\\_protection\\_and\\_shrimp\\_fisheries/](http://sero.nmfs.noaa.gov/protected_resources/sea_turtle_protection_and_shrimp_fisheries/)

**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.