

*Science, Service, Stewardship*

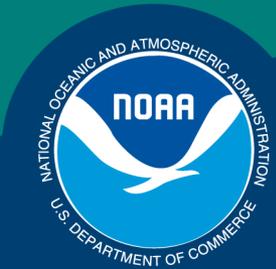


NOAA

**PLEASE SIGN IN**

**PRINT "YES" IF YOU WISH TO COMMENT**

**NOAA  
FISHERIES  
SERVICE**



## Reducing Incidental Bycatch and Mortality of Sea Turtles in the Southeastern Shrimp Fisheries

Public Scoping Meetings

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## Overview

- Background on sea turtles and the Endangered Species Act.
- Purpose and need for potential rulemaking.
- Overview of the notice of intent to prepare a draft environmental impact statement (DEIS) and conduct public scoping meetings.
- Discussion on the range of potential alternatives.
- Public comment period.



## Listed Sea Turtle Species

Six species of sea turtles are listed under the Endangered Species Act:

- Endangered
  - Leatherback (*Dermochelys coricea*)
  - Kemp's ridley (*Lepidochelys kempii*)
  - Hawksbill (*Eretmochelys imbricata*)
- Threatened
  - Loggerhead (*Caretta caretta*) – Northwest Atlantic DPS
  - Green (*Chelonia mydas*) – North Atlantic DPS
  - Olive ridley (*Lepidochelys olivacea*)



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## Endangered Species Act

- Section 3(19): The term “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.
- Section 9(1): It is unlawful for any person subject to the jurisdiction of the United States to:
  - Take any such species within the United States or the territorial sea of the United States; and
  - Take any such species on the high seas.
- The above prohibitions refer to both intentional (e.g., scientific research) and incidental (e.g., bycatch in commercial fishing operation) take, unless exempted.



## Endangered Species Act

How are actions exempted from the take prohibition?

Section 7(a)(2): Each federal agency shall...insure that any action authorized, funded, or carried out by an action agency is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of such species' designated critical habitat.



## Endangered Species Act

How are actions exempted from the take prohibition?

Section 7(b)(4): If after consultation the Secretary finds that the proposed (federal) agency action will not cause jeopardy, an incidental take statement is issued.

The incidental take statement:

- Specifies the impact of incidental take;
- Specifies reasonable and prudent measures to minimize the impact of take; and
- Sets forth nondiscretionary terms and conditions.



## **Current Sea Turtle Conservation Measures**

- Gillnet restrictions in Pamlico Sound, North Carolina.
- Requirement to use TEDs in shrimp and flounder trawl fisheries south of the North Carolina border.
- Observer rule, which allows observer coverage for sea turtle interactions in state and federal waters.
- Gulf of Mexico and Atlantic pelagic longline fishery requirements including mandatory use of circle hooks with certain bait combination, possession and use of sea turtle release equipment, and implementation of sea turtle handling and release protocols.
- Gulf of Mexico reef fish longline fishery requirements including time/area closure, effort reduction, and gear limits.



## Skimmer Trawl Fishery

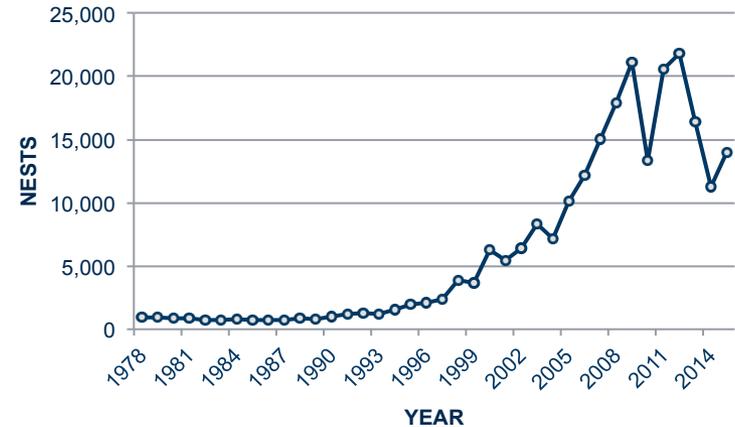
- Increase in fishery effort since originally evaluated.
- Changes in the gear used since originally evaluated:
  - Increase in the average size of vessels and amount of webbing used; and
  - Some vessels use both skimmer and otter trawl gear.
- Potential increased abundance of sea turtles in nearshore waters.
- Documented take of sea turtles in the skimmer trawl fisheries, including lethal takes.
- Reported violations of alternative tow time limits.



## Kemp's Ridley Sea Turtle Nesting



*(Image courtesy of Gladys Porter Zoo)*



Largest nesting population of Kemp's ridley sea turtles is located at Rancho Nuevo, Mexico.



## Sea Turtle Habitat Utilization

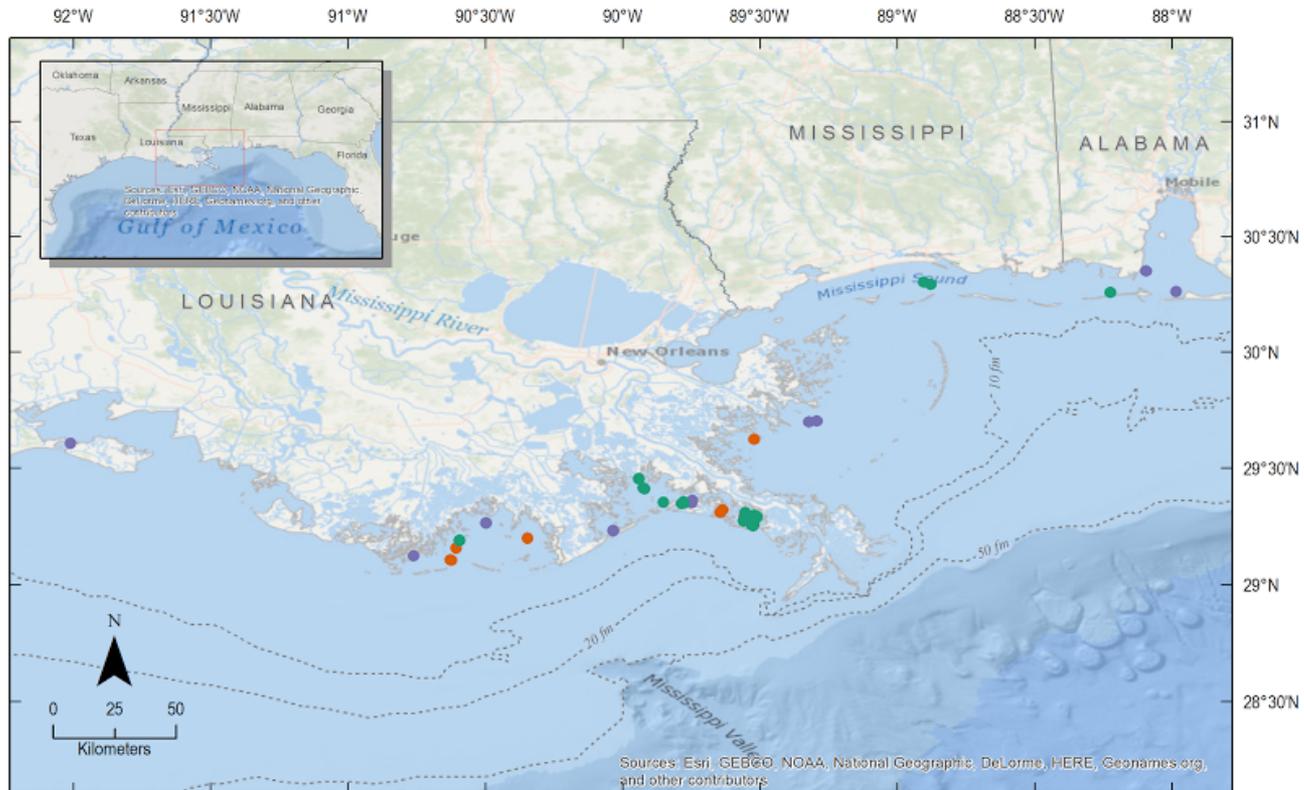


In late November 2010, six juvenile Kemp's ridley sea turtles were released just south of Ship Island, MS. The satellite tag tracks displayed at left demonstrate the use of LA and MS nearshore waters.

*(Image courtesy of Institute for Marine Mammal Studies)*



# Sea Turtle Captures in Skimmer Trawl Fishery



- 2012 (24)
- 2013 (8)
- 2014 (10)

National Marine Fisheries Service  
Southeast Fisheries Science Center  
Galveston Laboratory  
Galveston, TX



## Sea Turtle Captures in Skimmer Trawl Fishery

- While majority of observed takes have occurred in the northern Gulf of Mexico, there have been takes documented in the North Carolina skimmer trawl fishery as well:
  - May 31, 2015 – loggerhead, Bogue Sound
  - June 18, 2015 – loggerhead, Newport River
  - June 25, 2015 – loggerhead\*, Newport River
  - July 21, 2015 – Kemp’s ridley\*, Newport River

\* Dead turtle



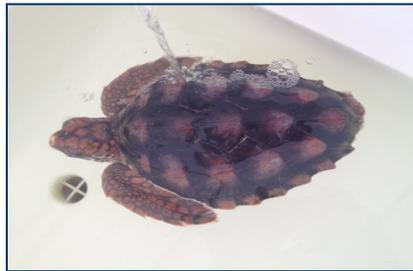
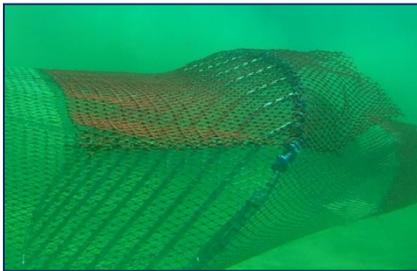
## Alternative Tow Times

- Poor compliance with alternative tow time requirements.
- Many in fishery are still unaware of alternative tow time requirements as mentioned in 2011 scoping.
- Effective enforcement is impractical.
- Documented lethal takes have occurred within the alternative tow time limits.



## Skimmer Trawl TED Testing

- TED testing in skimmer trawls has been conducted from 2010-present.



- Fishery-independent work has evaluated sea turtle exclusion with various TED modifications:
  - Super shooter and straight TED grids;
  - Mesh twine size on escape panel (#30 and #15);
  - Inshore and double-cover escape openings; and
  - Escape panel flap length.



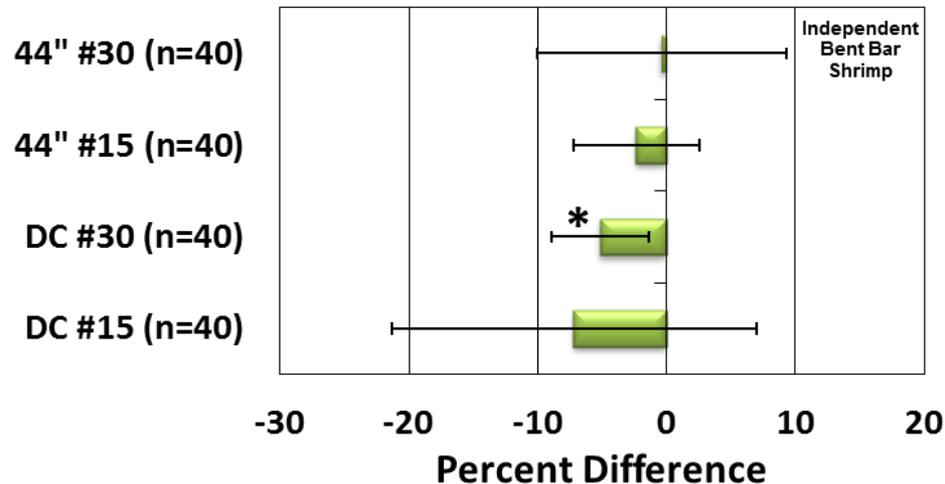
## Skimmer Trawl TED Testing

- Recent fishery-dependent work in 2013-2015 has looked at catch retention with reduced TED-grid bar spacing.
- Testing included 1 vessel in Alabama, 11 vessels in Louisiana, 1 vessel in Mississippi, 4 vessels in North Carolina.
- Locations fished in Louisiana:
  - Terrebonne and Timbalier Bays;
  - Lower Plaquemines Parish and Barataria Bay; and
  - East side of New Orleans out of Hopedale.
- Louisiana landings indicated 90% of the skimmer trawl effort is conducted from Terrebonne Bay eastward.



## Skimmer Trawl TED Testing

- In 2014, catch loss for bent bar TEDs ranged between 0.36% and 7.17%, depending on configuration.



- Testing in 2015 evaluated straight bar TEDs; data currently being analyzed.



## Previous DEIS Development

- June 24, 2011: NMFS announced in the *Federal Register* its intent to prepare a DEIS and to conduct scoping meetings.
- May 10, 2012: NMFS published a proposed rule in the *Federal Register* that would require all skimmer trawls, pusher-head trawls, and wing nets to use TEDs in their nets.
- May 18, 2012: A notice of availability for the DEIS was published in the *Federal Register*.
- February 7, 2013: NMFS announced in the *Federal Register* its withdrawal of the proposed rule due to new information indicating rulemaking was unwarranted at that time.



## Notice of Intent to Prepare a DEIS and Conduct Scoping Meetings

- March 15, 2016: NMFS announced in the *Federal Register* its intent to prepare a DEIS and to conduct scoping meetings.
- Alternatives for potential rulemaking include:
  - Status quo;
  - Required use of standard or modified TEDs in the skimmer trawl fishery;
  - Required use of modified TEDs by all shrimp trawl vessels in specific areas; and
  - Other potential alternatives.



## Potential Management Alternatives

**Alternative 1 (No Action):** Under the no action alternative, the southeastern shrimp fishery would continue to operate in the same manner. The current TED requirements would remain in place and no additional measures would be required to reduce incidental bycatch and mortality of sea turtle in the southeastern shrimp fishery.



## Potential Management Alternatives

**Alternative 2:** This alternative would withdraw or amend the alternative tow time restriction at 50 CFR 223.206(d)(2)(ii)(A)(3), and require skimmer trawls, pusher-head trawls, and wing nets (butterfly trawls) rigged for fishing to use TEDs in their nets.

- This could apply to vessels in either the Gulf of Mexico or the Atlantic Ocean, or apply to all vessels.
- This could require modified TED use in specific areas where small turtles occur.
- This could retain the alternative tow time restriction for small vessels.



## Potential Management Alternatives

**Alternative 3:** This alternative would withdraw or amend the alternative tow time restriction at 50 CFR 223.206(d)(2)(ii)(A)(3), and require skimmer trawls, pusher-head trawls, and wing nets (butterfly trawls) rigged for fishing to use TEDs in their nets, and require all other shrimp trawlers (i.e., including otter trawlers) fishing in specific areas where small turtles occur to use modified TEDs in their nets.

- This could apply to vessels in either the Gulf of Mexico or the Atlantic Ocean, or apply to all vessels.
- This could retain the alternative tow time restriction for small vessels.



## **Dates of Scoping Meetings**

Morehead City, NC – April 13, 2016, 2 p.m. - 4 p.m., Crystal Coast Civic Center, 3505 Arendell Street, Morehead City, NC 28557.

Larose, LA – April 18, 2016, 4 p.m. - 6 p.m., Larose Regional Park and Civic Center, 307 East 5th Street, Larose, LA 70373.

Belle Chasse, LA – April 19, 2016, 4 p.m. - 6 p.m., Belle Chasse Community Center, 8398 Highway 23, Belle Chasse, LA 70037.

Biloxi, MS – April 20, 2016, 5 p.m. - 7 p.m., Biloxi Visitor's Center, 1050 Beach Boulevard, Biloxi, MS 39530.

Bayou La Batre, AL – April 21, 2016, 2 p.m. - 4 p.m., Bayou La Batre Community Center, 12745 Padgett Switch Road, Bayou La Batre, AL 36509.



## Next Steps

- Notice of Availability for DEIS: July 2016
- Proposed Rule: August 2016
- Final EIS: January 2017
- Final Rule: February 2017
- Effective Date: TBD



## **Scoping Period Ends April 29, 2016**

Scoping document and additional information can be found online:

**[http://sero.nmfs.noaa.gov/protected\\_resources/  
sea\\_turtle\\_protection\\_and\\_shrimp\\_fisheries/index.html](http://sero.nmfs.noaa.gov/protected_resources/sea_turtle_protection_and_shrimp_fisheries/index.html)**



## Scoping Period Ends April 29, 2016

For more information and to submit comments contact:

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