

Shrimp Advisory Panel Summary

Webinar Meeting
December 7-8, 2021
9:00am – 5:00pm

The meeting of the Gulf of Mexico (Gulf) Fishery Management Council's (Council) Shrimp Advisory Panel (AP) was convened at 9:00 AM EDT on December 7, 2021. The meeting began with the newly appointed AP members introducing themselves. Mr. Perret was elected as Chair, and Mr. Bosarge was elected as Vice-Chair. The agenda for this meeting was approved as written. The minutes from the March 23, 2021, meeting were approved as written.

Council Actions in Response to Motions from the March 2021 Shrimp AP Meeting, and October 2021 Council Meeting Motions.

Dr. Freeman presented the Council's actions in response to six motions from the March 2021 Shrimp AP meeting and on 2 motions from the October 2021 Council meeting that pertained to the Gulf shrimp industry. An AP member stated that the information on Gulf shrimp permits should be available sooner, instead of being presented to the AP in March 2022. Dr. Freeman replied that the Science Center had been asked to provide the information in the spring, when related landings information is typically presented to the AP. The AP member emphasized that this type of information should be available in real-time, or as close as possible to it.¹ He noted that the Request for Proposals, related to the AP's third motion, is in the process of being re-advertised. An AP member inquired as to the deadline. Council staff notified the AP that the deadline is January 10, 2022. Dr. Freeman commented that there is a Shrimp Committee agenda item for the January 2022 Council meeting for NMFS' evaluation of the draft technical specifications related to the current Alternative 3 in the draft shrimp framework action.

Update on Vessel Position Data Collection

Overview of current cELB units' programming and implementation

Dr. Nance provided an historical overview of the shrimp effort data collection program. He began by describing the items needed for effort data calculation. He explained that shrimp effort information was collected from the 1960s through the late 1990s by port agents through interviews of shrimp boat captains. These interviews collected information on the area fished, by way of statistical subarea(s) and depth zones (in 5 fathom intervals). However, data on areas being fished was less precise as trips became longer in time away from port. In the late 1990s and early 2000s, LGL, in association with the shrimp industry, began work with the National Marine Fisheries Service (NMFS) Galveston Laboratory to develop an automatic method to collect effort data through an electronic monitoring system (ELB). In this program, vessel position data was

¹ Following the AP meeting, Dr. Gloeckner (NMFS) provided information, which was shared with the AP via email, on permit information available on NOAA's website. <https://www.fisheries.noaa.gov/southeast/resources-fishing/frequent-freedom-information-act-requests-southeast-region#all-permits>

passively collected by a GPS antenna every 10 minutes and stored on a Secure Digital (SD) card, which was later collected by LGL personnel and sent to NMFS, and a new card was provided and installed in the ELB unit. Although the data were collected with high frequency (i.e., every 10 minutes), this program was never intended for real time transmission of the vessel position information, as this was unnecessary to estimate shrimp effort of the fleet. A congressional line item provided funding for this program through roughly 2011. After 2011, NMFS became the responsible source for the money to continue the program and the agency recognized the need to develop an ELB that could send the data directly to a computer. A software engineer at the NMFS Stennis Laboratory began initial programming around 2013 for a cellular electronic logbook (cELB). The unit was programmable, had the ability to collect and store GPS locations, and send the data over the 3G network. Testing of the cELB units first took place on NOAA laboratory ships, followed by testing on six shrimp vessels. Year-end money from the Pacific States Marine Fisheries Commission was used to purchase around 800 cELB units, along with Pelican cases to assist in keeping the units out of the elements on the shrimp vessels. Approximately 500 shrimp vessels (permits) were randomly selected to carry the system. If a vessel had an original ELB, then that unit was kept active for purposes of comparison between the data collected from the original ELB and the new cELB units.

An AP member asked for clarification on the waters in which data is collected from shrimp vessels. Dr. Nance responded that the units collected data for both federal and state waters. The AP member then asked if landings were heads-on or heads-off. Dr. Nance noted that landings were reported as heads-on. Lastly, the AP member asked if there was any consideration for gear type or gear size in effort estimation. Dr. Nance replied that only hours of fishing was used, without noting gear type or gear size.

An AP member displayed a cELB unit in a Pelican case for Council staff and AP members. One AP member noted that, every year, effort changes, and asked what NMFS does with the effort data. Dr. Nance responded that calculated effort is used for shrimp stock assessments and for determining the shrimp effort threshold for red snapper and determining interactions with sea turtles. Another AP member inquired if the costs of the current cELB units were in the hundreds or thousands. Dr. Nance responded that the cost of an individual unit was in the hundreds. Dr. Froeschke stated that Table 1.1 in the framework action to establish funding for the ELB program² has the estimated costs for the current cELB program.

Presentation on elements of data from current cELB units

Dr. Gloeckner reviewed the format and file in which the data are collected. Latitude, longitude, and a timestamp are collected every 10 minutes as a “.dat” file. He next provided an image of the cELB unit and discussed the various components. He reviewed the original process of data transmission with the 3G network and compared that with the current mail-in process. He noted that 100% of data was previously collected, whereas data recovery is about 55% with the mail-in process. Furthermore, as cELB units break down, overall coverage will lag as new vessels are not

² <https://gulfcouncil.org/wp-content/uploads/FISHERY%20MANAGEMENT/SHRIMP/amendments/Final%20Shrimp%20ELB%20Abbreviated%20Framework.pdf>

being recruited. He also discussed that, in order to meet Section 7(b) of the Endangered Species Act from the recent shrimp Biological Opinion (BiOp) regarding reasonable and prudent measures, NMFS must ensure that future fisheries effort monitoring is conducted at equivalent, or greater, levels as conducted over the past 10 years. Lastly, Dr. Gloeckner noted that there are four broad categories that feed into system components: data collection; data transmission; data storage and analysis; and policy.

An AP member asked if there was anything that could change the 10-minute ping rate. Dr. Gloeckner stated that it could not be done remotely and that the units would have to be removed in order to do so. The AP member then asked if the Science Center was the final destination of the data. Dr. Gloeckner confirmed that it was the final destination. Another AP member asked why it takes several months for the data to be made available. Dr. Gloeckner stated both landings and trip tickets are needed, and trip tickets do not arrive in real time, unless they are federal dealers that report electronically. Trip tickets generally take 1-2 months to arrive, and then quality control and matching has to occur. Ms. Bellais (GSMFC staff) responded that, once states receive trip tickets, states process the data for a month. The data is then sent to the Gulf States Marine Fisheries Commission (GSMFC) for further processing. The entire process could take up to 2 months, and the GSMFC is working to reduce the time.

An AP member asked for an explanation of the 55% data recovery with the current mail-in process. Dr. Gloeckner stated that some individuals have not mailed in their SD cards yet. Another AP member stated that, with the 55% data recovery, the Shrimp Focus Group had discussed inclement weather this fall in the Gulf, which could be impacting the mail-in of SD cards and asked for an update of the 55% since the October 2021 presentation. Dr. Lowther stated that the percentage was now about 60%. The AP member commented that a lesser number of vessels could suffice for being in compliance with the recent Shrimp Biological Opinion. Dr. Froeschke replied that, if the non-reporting is not random, then the collected data would not be a representative estimate of the fleet.

GSMFC process for data retrieval, security, and storage

Ms. Bellais reviewed the current process, which involves the Southeast Fisheries Science Center (SEFSC) Galveston lab sending a batch of SD cards to the GSMFC via FedEx as well as emailing an Excel spreadsheet with the contents of the batch. For data processing, the GSMFC has a computer dedicated to this process, which is disconnected from the GSMFC network while each SD card is processed (including a virus scan). The computer is then reconnected to the network, and invalid characters are removed from local data files before the data files are imported into an Oracle table in the GSMFC data warehouse. For data transfer to the SEFSC, the SD cards are returned to the Galveston lab, and the Galveston lab is notified that the batch is ready for retrieval via GSMFC via Oracle connection. The GSMFC is capable of handling secure electronic transfer of data using multiple transfer methods. There are requirements that must be met. For instance, data would need to be sent to a cloud service since the GSMFC IT department is not a 24/7 operation.³ Additional costs would be incurred if, for instance, the data requires cleaning or pre-

³ The complete list of requirements are on slides 6-7 of the GSMFC's presentation, which may be viewed at https://gulfcouncil.org/wp-content/uploads/VII.-c.-GSMFC_eLB_Shrimp_Data_Flow.pdf

processing. The GSMFC has received 5 batches from NMFS so far, with 275 SD cards, as of December 1, 2021.

An AP member inquired if the batches come in at a certain, regular time of the month. Ms. Bellais responded that NMFS does not send batches based on timing or number of cards included. The AP member then asked how the current and previous process could be made more efficient. Ms. Bellais replied that the current process seems to be pretty efficient. Mr. Ferrer (GSMFC staff) replied that, for the electronic process, that the GSMFC would like the data to be sent in a different format (i.e., JavaScript Object Notation [JSON]) when new units are put in place so that data could go directly into the final database without an intermediary database being needed.

An AP member asked if there was a way for reminders to be sent to fishermen for the SD cards. Ms. Bellais replied that it would be a SEFSC responsibility to send out reminders. Dr. Lowther said that email reminders and postcard reminders had been sent, which led to a small uptick in SD card returns. Another AP member inquired as to which ports are lagging in returns of SD cards. Ms. Bellais responded that she was unable to answer that question. Council member Bosarge commented that, with the hurricane that went through Louisiana, some individuals still do not have mailboxes and considerations of how to get reminders out are needed. An AP member stated that some individuals in Louisiana still do not have internet and that some are still living in tents and asked if there was a way that Sea Grant agents could assist in increasing the return rate and compliance. Another AP member inquired if the Southern Shrimp Alliance could also assist.

Comparison table

Council member Bosarge reviewed elements for vessel monitoring system (VMS) type-approval in contrast with draft technical specifications for reinstituting the historical cELB program for the federal Gulf shrimp fishery. Some of the items that would change under the draft technical specifications are as follows: at-sea-testing would be a requirement, rather than be optional; one-way communication from the vessel to NMFS would be needed, rather than two-way communication; messaging and electronic forms would not be applicable to the historical cELB program. Council member Bosarge noted that VMS units are only required to store a minimum of 1,000 position fixes, which would translate into about 7 days of fishing for the shrimp industry, whereas a minimum of 14,400 position fixes are included in the draft technical specifications, which should translate into about 100 days of fishing for the shrimp industry. Remote change of the ping rate by an authorized user is permitted for VMS units, and this was removed for the draft technical specifications, as Council member Bosarge stated there would be no need for that. She noted that the section on litigation support from VMS type-approval would not be applicable in the draft technical specifications, since cELB is a scientific data collection program.

An AP member asked to whom the draft technical specifications would be presented. Council member Bosarge stated that an alternative in the draft framework action considers the information contained in the draft technical specifications so to continue to historical cELB program and that NMFS has been requested to evaluate these draft specifications.

Dr. Gloeckner commented that VMS data will work with the current shrimp effort algorithm. He noted that vendors would address the memory storage capacity, if they want to participate in a program for the shrimp industry. He also noted that, currently, OLE would have to request access to change the ping rate for VMS units and does so rarely. Council member Bosarge stated that OLE still has that ability, which is not needed for the shrimp industry.

Presentation: case study of South Atlantic rock shrimp VMS data inputted into the Gulf shrimp effort algorithm for illustration of compatibility

Dr. Gloeckner stated that the basic VMS data that is collected is very similar to the cELB data. However, the downloaded VMS data was tested at 1-hour resolution, whereas the federal Gulf shrimp fishery has 10-minute resolution with cELB units. He stated that the inferred speed can be used to identify trawling versus steaming. He showed two routes for VMS data, one going through GSMFC from the satellite/cellular receiver and one going through the Office of the Chief Information Officer (OCIO). The route through the OCIO would meet the requirements for VMS reimbursement; the route through GSMFC does not appear to meet the requirements for VMS reimbursement. He also noted that it would be possible to link trip ticket landings, in the same manner as the cELB program.

An AP member expressed skepticism regarding the speed of the rock shrimp vessel in a straight line, shown in the presentation. Another AP member agreed with the comment.

One AP member stated that, during the Shrimp Focus Group meeting in October 2021, he recalled an issue of compatibility being mentioned and that the VMS data had not been run through the shrimp effort algorithm. Dr. Gloeckner responded that the lack of 10-minute ping rates (1-hour ping rates are in the rock shrimp data) meant that the data could not be run through the shrimp effort algorithm in its current form, but not necessarily that the data were incompatible. An AP member commented that there was still a need for the additional option (current Alternative 3) in the draft framework action to avoid any issues of data incompatibility, which could lead to the industry not being in compliance with federal acts. Council member Bosarge then asked for additional details on the slides for the two routes of VMS data. She inquired if only an OLE-approved VMS unit could be used for the two routes. Dr. Gloeckner stated that an OLE-approved VMS unit could be used for either route, but that some of the benefits such as reimbursement would not be available if the data is sent to GSMFC.

An AP member noted that this is a scientific data collection program and noted that access to the VMS data by OLE is earlier in the process with the OCIO route than with the GSMFC route. Another AP member asked why the GSMFC route meant reimbursement is not available. Dr. Gloeckner responded that this is the way that national program is setup.

Ms. Bellais stated that, in the GSMFC route, the GSMFC is not housing the data. Once the Galveston laboratory retrieves the data, the GSMFC removes the data, and so OLE would not be able to retrieve it from the GSMFC. Dr. Simmons commented that clarification is needed on whether the Council can make the decision where the data goes, before the January Council meeting, as it is not currently considered in the framework action. She also asked about the

timeline for reporting on the evaluation of the draft technical specifications to the Council. Dr. Gloeckner stated that the Southeast Regional Office (SERO) is scheduling a meeting of NMFS staff to evaluate the draft technical specifications. An AP member noted that it is not just the route of the data that needs to be clarified, but also differences in the type of data collected. Dr. Gloeckner stated that additional forms would not be required, if the shrimp industry moves to a VMS program.

Summary of October 2021 Shrimp Focus Group Meeting

Dr. Freeman reviewed the membership of the Shrimp Focus Group, noted that the Shrimp AP had received today the same presentations that the Shrimp Focus Group had at its meeting, and then noted that the two recommendations from the Shrimp Focus Group had been adopted by the Council at its October meeting and been acted upon.

An AP member commented that the South Atlantic rock shrimp presentation may have led to more confusion than answered questions. He then added that he wanted to ensure that the presentation evaluating the draft approval specifications would be given at the January 2022 Council meeting.

Motion: To request that the Council work with NMFS to ensure that the agency's evaluation of the draft approval specifications set forth in Appendices D and E of the draft Shrimp Framework Action as requested by the Shrimp Effort Data Focus Group is completed in a timely manner and presented to the Council at its January 2022 meeting.

Motion carried unanimously.

Review of Draft Shrimp Framework Action

Dr. Freeman provided the motivation of the draft shrimp framework action before reviewing the purpose and need statements. He then discussed the 3 alternatives and noted that the viability of the current Alternatives 2 and 3 needed to be determined, before the draft framework action is further developed. He also noted that satellite transmission had been removed from consideration, based on Council discussions regarding the cost.

An AP member inquired about the Action's Note that asks for the type of bycatch reduction device. Another AP member responded that this information is requested on an annual form, but is not part of the effort data collection program itself. An AP member emphasized that, until testing of VMS units has occurred, the Council will not know if the current Alternative 2 is a viable alternative for the Gulf shrimp industry.

An AP member stressed that, moving forward, they must receive the agency's review of the draft technical specifications for the current Alternative 3. Dr. Freeman concurred that they needed to know which parts of the draft technical specifications were viable and stated that they needed to know which alternatives were viable, in order to further develop the draft framework action.

Council member Bosarge noted that multiple items were included in the letter sent to NMFS, as part of the evaluation of the draft technical specifications. Dr. Freeman then read from the letter: “the Council requests that NMFS fully evaluate and consider, to the maximum extent possible, these draft approval specifications and that this evaluation be presented during the January 2022 Council meeting. Specific items that should be considered include: logistics involved in either bringing a National Environmental Satellite, Data, and Information Service server online for data transmission or use of a Gulf States Marine Fisheries Commission server; which office or center of the National Marine Fisheries Service will house the technical specifications for the Gulf shrimp industry; who will handle the scientific testing and vetting of vendors seeking type-approval.” Dr. Gloeckner noted that agency lawyers would be needed for the evaluation of the draft technical specification.

Draft Plan for Pilot Testing of VMS Units on Gulf Shrimp Vessels

Mr. Wallace presented on a draft plan to evaluate cellular VMS as an alternative to the Gulf shrimp cELB program. He noted that two vendors, Faria and Woods Hole, agreed to deploy their units on a few shrimp vessels for free in 2022 for testing. Shrimp vessels would need to meet certain requirements: operating a cELB; must be active; have a known primary port; be representative of the fishery. A side-by-side comparison of VMS and cELB data processed through the shrimp effort algorithm would occur. He presented a table for a deployment schedule and noted that the testing duration would be roughly 30 days, to commence around May 2022. Dr. Freeman asked if testing could occur sooner and how long the data analysis and comparison would take. Mr. Wallace said that the RV Caretta would not be available until May, but that deployment on shrimp vessels could occur sooner. An AP member commented that the industry will not have confidence in cellular VMS until testing is completed and evaluated. Council member Bosarge stated that P-Sea WindPlot could be used on the RV Caretta as well, in order to test all the alternatives from the draft shrimp framework action at the same time.

Council member Bosarge asked for clarification on what a data logger is. Mr. Wallace explained that it is an accelerometer and knows xyz position data and that NMFS is trying to develop this technology along with automation to provide real time effort estimates, without post-processing.

Dr. Gloeckner inquired if the shrimp vessels that target pink shrimp would be in south Florida. Mr. Wallace said they would likely be in south Florida, but was open to suggestions of the deployment schedule table. Dr. Simmons asked if the vendors were able to accommodate a 10-minute ping rate and if cellular transmission would occur during testing. Mr. Wallace responded that the vendors were able to use a 10-minute ping rate and that cellular transmission of VMS units would be tested.

Council member Bosarge asked if the Shrimp Focus Group could be convened to review testing protocols. Dr. Freeman suggested coordinating with Mr. Wallace to schedule a webinar to discuss and evaluate testing protocols prior to commencement of testing.

An AP member asked if Louisiana could be added to deployment schedule table, since the other 4 Gulf states were included, for industry buy-in. Mr. Wallace said that Louisiana could still be

added. Council member Bosarge commented that vessels which target pink shrimp had been added to the deployment schedule table based on industry input and that industry may have additional input.

Recent Shrimp Biological Opinion

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 re-initiation was triggered by multiple items: new listed species under the ESA, new sea turtle bycatch information, and the December 2019 Final Rule requiring turtle excluder devices (TEDs) for a portion of the skimmer trawl fisheries. Issues raised in an October 2020 court decision remanding the 2014 Opinion also had to be addressed. The proposed action includes authorization of shrimp trawling in the Exclusive Economic Zone under both the Gulf and South Atlantic Fishery Management Councils' Shrimp Fishery Management Plans. The biological opinion also includes the 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, such as the efficacy of TEDs in the skimmer trawl fisheries for vessels less than 40 feet in length, and monitoring/data improvements.

An AP member inquired how the industry will know how its incidental take numbers are looking, if estimates are only produced every 5 years. Ms. Lee explained that a few data years are needed to produce the estimates. The AP member then asked if the Protected Resources Division will hold Section 7 consultations with BOEM regarding wind development in the Gulf and at what point in the process that will occur. Ms. Lee replied that consultations will occur and that, once full information on the action is provided, a full consultation package will be prepared. The AP member then expressed concern that the shrimp industry would be held accountable for reductions in the stocks of protected species due to wind energy development in the Gulf.

An AP member asked if the information on the incidental takes shown in the presentation could be provided on a regular basis to the AP. Ms. Lee replied that a request for an annual update on the information related to the takes in the shrimp industry could be made.

In response to an AP member's question, Ms. Lee noted that boarding data from the U.S. Coast Guard is not included in the incidental take numbers in the recent biological opinion.

Motion: To request that the Council work with the Office of Protected Resources to provide an annual update to the Shrimp AP and Gulf Council on sea turtle take and TED compliance.

Motion carried unanimously.

Bureau of Ocean Management: Wind Energy Development in the Gulf

Mrs. Matthews reviewed BOEM's mission responsibilities and explained Executive Order 14008, issued by President Biden in 2021, which establishes the first-ever national offshore wind goal. She then reviewed the 4 phases of the renewable energy process: planning and analysis; leasing; site assessment; construction and operations. As background information, Mrs. Matthews noted that the inaugural Gulf of Mexico Regional Task Force Meeting was held on June 15, 2021. She explained the process for area identification, starting with initial identification of areas that may be suitable for potential offshore wind development. She noted the potential offshore wind turbine structures and commented that jackets would be the mostly likely structure, with floating substructures being a possibility in waters deeper than 60 meters. She also showed how shrimp trawling effort and avian information would be utilized in identifying the wind energy area.

An AP member inquired if members of the fishing industry can become members of the Gulf of Mexico Regional Task Force. Mrs. Matthews explained that while a state governor may request the formation of a task force, BOEM sets up the task force. She noted that the Gulf of Mexico Regional Task Force is populated with members representing state, federal, and tribal governments.⁴

An AP member asked for an approximate number of turbines needed to meet the 30 gigawatts goal by 2030 in the Executive Order. Mrs. Matthews explained that roughly 58 turbines produce 1 gigawatt, so about 1,740 turbines would be needed across the Atlantic, Gulf, and Pacific. She noted that as turbine technology changes, that number may decrease. The AP member then asked if wind leasing would be similar to gas and oil leasing, with the highest bids winning. Mrs. Matthews explained that it would be silent, online bidding. The AP member inquired if there would be a common transmission line for all turbines in the Gulf, to prevent excessive dredging. Mrs. Matthews responded that Louisiana had expressed similar concerns. She stated that BOEM is looking into a grid backbone for turbines to tie into, and it might be possible to use existing pipelines as well.

An AP member asked if there were any estimates of jobs lost in the fishing industry as a result of the 30 gigawatts goal by 2030. Mrs. Matthews replied that she was unaware of such estimates.

⁴ Following the AP meeting, Mrs. Matthews corresponded that a NOAA representative is on the Gulf of Mexico Regional Task Force and that member may represent Council interests. She also noted that the Task Force is neither a decision-making body nor an approval body.

Another AP member inquired if a disaster plan is being developed. Mrs. Matthews said that BOEM is working closely with developers, including discussion of blade technology and powering turbines down during hurricanes. An AP member asked if the spatial management technology used by NOAA in identifying aquaculture areas and Section 7 consultation will be utilized in identifying wind energy areas. Mrs. Matthews responded that Section 7 consultation will occur with National Environmental Policy Act reviews. BOEM is meeting with NOAA again next week and will discuss data needs as well as how to incorporate the information in the Atlas. Another AP member stated that there were rumors that BOEM and wind energy companies have already determined the wind energy areas and locations of turbines, outside of the described process. Mrs. Matthews responded that this was not the case. An AP member then made the following motion:

Motion: Pursuant to Section 305(b)(3) of the Magnuson-Stevens Act, to request the Council to comment on and make recommendations to NMFS and BOEM regarding any potential impacts of offshore wind energy development, including offshore facilities and transmission lines, on all Essential Fish Habitat in the BOEM Call Area in the Gulf of Mexico.

Motion carried unanimously.

Dr. Freeman inquired what the deadline would be for the Council to send comments and/or recommendations to BOEM. Mrs. Matthews responded that she can speak to senior leaders that Council comments will be expected the first week of February 2022, since the original deadline is December 16, 202. An AP member then made the following motion:

Motion: To request the Council to work with NMFS to ensure that BOEM enters into consultations with NMFS pursuant to section 7 of the Endangered Species Act (ESA) with respect to any action BOEM takes or proposes to take to authorize offshore wind energy development in the Gulf that may affect any ESA listed species or designated critical habitat. Such consultations should begin as early in the BOEM process as possible.

Motion carried unanimously.

An AP member provided a map of the shrimp electronic logbook sum of trawls, from 2004-2019, graded from high to low levels, overlaid on the BOEM wind energy call area. He then made the following motion:

Motion: To request that the Council work with NMFS to ensure that the complete historical Gulf shrimp fishing effort data set is fully included and considered as part of the collaborative BOEM/NOAA spatial management analyses for evaluating potential sites for offshore wind energy facilities and transmission lines in the Gulf.

Motion carried unanimously.

Update on Aquaculture Opportunity Areas

Dr. Riley presented on the Aquaculture Opportunity Areas (AOAs) Atlases. He noted that one atlas was produced for the Gulf of Mexico and a separate atlas was produced for California. He provided an overview of the national spatial planning infrastructure. He explained that the Gulf study areas were non-descript in species and considered U.S. federal waters with depths of 50 to 150 meters. Next, Dr. Riley reviewed the number of stakeholder meetings and the number of attendees. He noted that 220 layers of data inventory results were included in the Gulf Atlas. He showed a sample map of suitability modeling to identify areas of highest opportunity for aquaculture, which provide the highest conservation and lowest conflict with other users. Of roughly 30,000 AOA options, 60 clusters were identified, and the top 9 AOA options have been identified. A 30 nautical mile dispersion rule is applied to avoid overlap. He noted that the work on the Atlases represented the most comprehensive regional marine spatial planning ever conducted for U.S. federal waters.

Dr. Freeman asked if the Atlases considered any shifts in spatial effort by the various fisheries in the Gulf. Dr. Riley responded that shifts were observed, but they were not able to be considered in the Atlases, given the timeframe to complete the project. They also noted data caveats, such as geospatial data of recreational fishing.

An AP member noted that AOA Option C-11 is in an area of high shrimping effort and that the shrimp industry may want to comment. The AP member then asked for confirmation that the options have not been finalized for aquaculture use. Dr. Riley confirmed that the options have not been finalized.

Following Dr. Riley's presentation and questions from the AP, Ms. Bennett provided an update on the Gulf of Mexico AOAs Programmatic Environmental Impact Statement (PEIS) process. She first provided a refresher on AOAs, noting that they are defined by NOAA Fisheries as small, defined geographic areas that economically, ecologically, and socially appropriate for aquaculture. She explained that a PEIS is a broad or high-level environmental review document that assesses the impacts of proposed policies, plans, programs, or projects and considers a reasonable range of alternatives, including a no action alternative. A PEIS relies on feedback from stakeholders and the public through its development. The goal for the PEIS timeline is 2 years. The Notice of Intent has not yet been published in the Federal Register, which will allow for a Formal Public Scoping Period. Later in the process, the Notice of Availability of Draft PEIS will be published in the Federal Register, which will allow for a Formal Public Comment Period. Ms. Bennett noted that regular briefings throughout the PEIS process for the Council and APs are planned.

Dr. Simmons asked how often the Atlases would be updated. Dr. Riley said that the Atlas is intended to be a static, standalone product, although they do update the data on their end. Dr. Freeman asked for an approximate month for when the Notice of Intent would be published. Ms. Bennett responded that they hope to have it published in the first part of 2022, but there are a lot of internal conversations on the best path forward. Dr. Freeman noted that the Shrimp AP would meet again, tentatively, in March 2022 and could hopefully get an update from Ms. Bennett regarding the publication of the Notice of Intent.

Ms. Bosarge requested that public comment from Mr. Brown be entered into the record. Mr. Brown noted that, for Option C-13, if the AOA were to be moved east slightly, it would be out of a high shrimp trawling area. An AP member then made the following motion:

Motion: To convey to the Council, NMFS and BOEM that the AP believes the analytical approach to spatial planning applied by NOAA in the AOA Atlas would be the most comprehensive, transparent, objective and, therefore, effective tool for supporting critical decision-making regarding competing ocean uses in the Gulf and for minimizing any adverse impacts of those uses on the shrimp industry, including the siting of offshore wind facilities and transmission lines in the BOEM Call Area.

Motion carried unanimously.

Discussion of Shark Depredation

Council member Bosarge commented that a couple of AP members had brought up the issue of shark depredation to her, and this would be an opportunity for the AP to discuss this item. Council member Bosarge then reviewed a prepared list of potential discussion questions.

An AP member stated that, on behalf of the Southern Shrimp Association, he has constantly fielded calls this year related to sharks and shrimp nets. He said that the calls have primarily been from the Northern Gulf and the East coast. Another AP member noted that there have been so many restrictions on the harvest of shark that shark populations have drastically increased. He suggested stock assessments and research on the behavior of sharks. An AP member commented that blacktips and spinners were the primary shark species that he was aware of causing issues with shrimp vessels. Another AP member stated that sharks were also damaging flaps on TEDs, which could lead to violations. One AP member shared a poster of Louisiana Sea Grant research she conducted on the impact of shark damage to the shrimp industry.

An AP member asked Council member Bosarge for information regarding the request for the Council to respond to Highly Migratory Species (HMS). Council member Bosarge stated that the Council has been receiving comments from commercial fishermen along with recreational fishermen during public testimony, but that the Council was also asked to provide input for an HMS report to Congress. Another AP member asked if there is a deadline to submit comments. Council member Bosarge replied that the HMS report is to be submitted to Congress in March 2022.

An AP member stated that sharks are causing damage from outside the net and that sharks have no fear when approaching vessels since they are no longer targeted. Another AP member commented that sharks were causing damage from both inside and outside the net and that double bagging is the only thing she had heard of in the industry that seems to deter sharks. One AP member stated that she was aware of a shrimper that got a bent bar violation on his TED, which the shrimper said was due to a shark. Lastly, an AP member noted that the science surrounding sharks in the Gulf is lagging behind what is being seen on the water and that input from fishermen would be useful for improving the science.

Public Comment

A member of the public expressed concern over commercial lobster and stone crab loss from entanglement with shrimp vessels in state waters and requested a rule requiring storage of gear while transiting in state waters. An AP member confirmed with the member of the public that he had raised his concerns with the State of Florida, since this occurs in state waters. Another AP member inquired if consideration had been given to installing lights on traps, to assist shrimp vessels in seeing the traps at night, or consideration of a pointed float to reduce entanglement. The member of the public stated that there is a board meeting of the Florida Keys Commercial Fishermen's Association on December 15, 2021, and that he would share the AP's suggestions.

Another member of the public asked if the AP or Council could request two industry representatives be added to BOEM's taskforce. An AP member then made the following motion:

Motion: To request that the Council communicate with BOEM that two shrimp industry representatives be added to the taskforce.

Motion carried unanimously.

A member of the public also noted that Louisiana needs to be represented in the VMS/cELB testing in the Gulf, from Mr. Wallace's presentation. Ms. Bosarge stated that further communication with Mr. Wallace needs to occur, in that 'location' from Mr. Wallace's presentation was unclear in terms of whether it meant where the vessel is located or where the vessel trawls.

Other Business

Dr. Freeman reminded the AP that there would tentatively be a Shrimp AP meeting scheduled for March 2022 and to expect an email in January or February to schedule the meeting date. An AP member requested an update on the NMFS evaluation of the draft technical specifications at that meeting.

The meeting was adjourned at 2:37 pm eastern time on December 8, 2021.

Meeting Participants

Members Present:

Corky Perret, Chair
Steve Bosarge, Vice-Chair
Ricky Brown
Thu Bui
Glenn Delaney
Gary Graham
Andrea Hance
Harris Lasseigne
Lance Nacio
Hunter Pearce
Laura Picariello
Phillip Tran
John Williams

Council Staff:

Bernadine Roy
Matt Freeman
John Froeschke
Beth Hager
Karen Hoak
Lisa Hollensead
Jessica Matos
Charlotte Schiaffo
Camilla Shireman
Carrie Simmons
Carly Somerset

NMFS Staff:

Brett Alger
Gretchen Bath
Michael Barnette
Lauren Bennett
Phaedra Doukakis-Leslie
David Gloeckner
Frank Helies
Peter Hood
Kimberly Johnson
Jennifer Lee
Mara Levy
Alan Lowther
Rich Malinowski
Michelle Masi
James Morris
Amy Piko
Ken Riley
Elizabeth Scott-Denton
Rebecca Smith
Kelly Spaulding
Michael Travis
Farron Wallace
Jo Williams

Council Members:

Leann Bosarge (representative)
Bob Gill
Chris Schieble