

## **Shrimp Advisory Panel Summary**

Gulf Council Office

Tampa, Florida

December 16, 2024

The meeting of the Gulf of Mexico (Gulf) Fishery Management Council's (Council) Shrimp Advisory Panel (AP) was convened at 8:00 AM EST on December 16, 2024, and began with an introduction of members. The verbatim minutes of the meeting are post on the Council's website<sup>1</sup>. Leann Bosarge was elected Chair, and Steve Bosarge was elected Vice Chair. The agenda for this meeting was approved as amended: addition of Detailed Discussion of Costs following Agenda Item VII<sup>2</sup>. The meeting summary from March 19-20, 2024, was approved as written.

### *Council Actions in Response to Motions from the March 2024 Shrimp AP Meeting*

Dr. Freeman presented on the Council's actions in response to four motions from the March 2024 Shrimp AP meeting. He also summarized the four motions from the November 2024 Council meeting on the Framework Action to modify vessel position data collection program. An AP member inquired about the Council's modification to Alternative 2, specifically the language "at a minimum, archived position data". Dr. Freeman responded that the language "at a minimum" did not refer to the type of data collected but rather that, in the case of cellular vessel monitoring system (VMS) devices, the data would be archived and then transmitted once the vessel is back within cellular range.

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

Dr. Freeman reviewed the Council timeline related to the draft shrimp framework action. An AP member provided additional information to the AP on how the cellular electronic logbook (cELB) devices operate and what data are collected for effort estimation. The AP member added that data are still being collected but are no longer transmitted automatically. Another AP member commented that the Southern Shrimp Alliance provided \$350,000 to LGL to test P-Sea WindPlot, in addition to the Council's competitive contract to complete testing, which was a maximum of \$350,000.

An AP member inquired as to the number of Gulf shrimp moratorium permits (SPGM) and the number of those permits that are active. Dr. Freeman responded that, as of September 20, 2024, the number of valid or renewable SPGM permits is 1,257 and that the number of vessels with trip ticket landings in 2023 was 807, with 651 of those reporting offshore landings.

Dr. Freeman then reviewed the changes to the alternatives from the November 2024 Council meeting. An AP member inquired about the language change from 'will' to 'would' in Alternative 1. Mr. Helies (SERO) responded that the language change reflected the standard language the

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<sup>1</sup> <https://gulfcouncil.org/wp-content/uploads/GMFMC-Shrimp-AP-December-2024.pdf>

<sup>2</sup> This addition was captured in Agenda Item VII, so a separate agenda item is not included within this summary.

Council uses in proposed amendment documents. The use of “will” is reserved for the final rulemaking stage.

Mrs. Kimball (member of the public; Port Arthur Area Shrimpers Association) commented that full shrimp effort data are not being captured since only a subset of vessels have cELB devices.

An AP member commented that the Council had already considered and decided to remove satellite VMS in a previous version of the document, but it was now being added back to Alternative 2. The AP member commented that if a vessel has a Gulf SPGM permit and is operating outside of the Gulf, it will still be required to have a VMS collecting data under Alternative 2. Another AP member stated that the AP had not been able to review the Interdisciplinary Planning Team’s (IPT) recommendations prior to the November 2024 Council meeting.

An AP member pointed out that Alternative 3 refers to “when on a fishing trip in the Gulf” but Alternative 2 does not. Ms. Levy (NOAA GC) added that, in the discussion of Alternative 2, it states “when on a fishing trip in the Gulf” even though it is not in the alternative language itself. An AP member raised concerns stating that only the language within the alternative would be codified. Dr. Freeman added that, since Alternative 3 was a Shrimp AP and industry-driven alternative, the IPT had avoided recommending too many changes to the language of that alternative, which is why it still refers to “when on a fishing trip in the Gulf” in the alternative itself.

An AP member questioned if the shrimp industry should be able to power down VMS devices when not in the Gulf or when not shrimping. Dr. Froeschke stated that other VMS devices have power-down language, when appropriate, but that in general an individual may not power on/off a VMS at will. An AP member stated that, for the rock shrimp industry in the South Atlantic, they can power down when not operating in that region. Mr. Walia (NOAA OLE) stated that the regulations deal with technical specifications; otherwise, there are fishery-specific regulations that deal with specifics such as ping rates and when devices have to be on. Dr. Freeman added that other items, such as ping rates, are in the discussion of the alternatives but not in the language of the alternatives for the current draft shrimp framework action. Mr. Strelcheck (SERO) explained that details of the program that exist in the discussion of the alternatives would also be integrated into a proposed rule, along with the language of the alternative itself.

An AP member inquired as to how many vessels with a SPGM permit have a satellite VMS because they operate in a fishery requiring one. Dr. Freeman responded that, of the 1,257 vessels with valid or renewable SPGM permits as of September 20, 2024, an estimated 104 vessels are required to comply with VMS requirements in other fisheries and that those requirements are currently for satellite VMS. He added 91 vessels have South Atlantic rock shrimp limited access permits, 11 have commercial Gulf reef fish permits, and 5 have various Atlantic highly migratory species permits. An AP member suggested mirroring language from the rock shrimp VMS requirement which narrows the VMS requirement to apply only when a vessel is on a shrimping trip in the South Atlantic. An AP member stated that vessels with a commercial Gulf reef fish permit would be required to keep the device operating at a 10-minute ping rate even when not shrimping.

An AP member commented that VMS has codified language, which is why the AP had wanted the devices referred to as ELB in Alternative 3. Dr. Gloeckner (SEFSC) stated the device is not a true logbook, which captures trip details such as catch and from what port the vessel departed; this device is intended to be a position recording device, which is a VMS. An AP member noted that the industry's electronic logbooks have not recorded catch because of the large volume of pounds harvested on a shrimp trip with minimal crew on board. The AP member asked if there was a codified definition of an electronic logbook as logbooks inherently collect different information for different fisheries. Dr. Gloeckner stated that at this time there is no codified definition for an electronic logbook, but that text is in the process of being written and would be codified at some point in the future.

Dr. Freeman then provided a tentative timeline for further development of the draft shrimp framework action, and he added that the Shrimp AP summary, including motions, from the December 2024 meeting will also be presented to the Council at its January 2025 meeting and that the Shrimp AP chair will be available to answer questions and expand on the Shrimp AP's deliberations.

An AP member inquired if \$250,000 was the maximum amount of annual funding for the nationwide VMS reimbursement program. Ms. Kelly Spalding (NMFS) stated if new implementation of a VMS program for the shrimp fishery is anticipated, then they would need to budget differently and request the funds needed for shrimp industry reimbursements. An AP member inquired from where that funding comes. Ms. Spalding stated it would be in the spend plan, and OLE would discuss the need for additional funding first with the NMFS regional office where implementation would occur and then with NMFS headquarters. When asked by an AP member, Ms. Spalding added that the fiscal year is October 1<sup>st</sup> through the end of September. An AP member stated that there are currently approximately 108,000 VMS pings per day processed by OLE and that a shrimp VMS requirement would increase this to 295,000 VMS pings per day that OLE would have to handle, if a census was required from the Gulf shrimp industry with 10-minute pings. The AP member asked if the OLE VMS server and system could handle this almost 3-fold increase in ping data. Ms. Spalding stated that the system has been moved into the cloud, so space would not be a problem. However, she added that this increase in data transmission from the shrimp fleet may require creating a separate database for the storage of historic data to prevent slowing down the VMS system's analytical speed, such that only the most recent five years of data would be immediately available. She commented that their office has been in contact with their contractor to understand the time and funding necessary to build the separate database storage needed should the shrimp industry become part of the OLE VMS program. The AP member noted that, since this is scientific data, it would need to be stored in perpetuity. Ms. Spalding stated that law enforcement records must be retained forever.

Mr. Dettloff (SEFSC) presented on current cELB coverage and related assumptions built into the effort estimation model. An AP member inquired where the described 40% coverage came from. Mr. Dettloff responded that the 40% was an aggregate of the program from 2005-2013, such that roughly 40% of the fleet had provided data at some point during that timeframe. Annually, the coverage is roughly 30% of the fleet. An AP member stated that area 3 (statistical zones 9-14) is not underrepresented as the presentation noted, but rather an area that is not typically fished

because of artificial reefs. Mr. Dettloff responded that the percentage is based on landings from trip tickets within area 3 from vessels with cELBs versus without cELBs. An AP member stated that, previously, an effort was made to avoid putting ELBs on vessels that are not active (reporting landings) and questioned why future efforts would put devices on all vessels, including ones that are not actively shrimping. Mr. Dettloff noted that some vessels may not shrimp just for a year or two, so avoiding those vessels could bias the sample. The AP member also noted that vessels with two nets will generally be shrimping in-shore, whereas vessels with four nets will generally be shrimping in federal waters. An AP member inquired what offshore meant, and Mr. Dettloff clarified that offshore is the COLREG line outward<sup>3</sup>. Another AP member stated that some vessels switch the number of nets they use during the year.

An AP member commented that the decline in active permits does not allow for new entrants, due to the moratorium. An AP member commented that shrimpers with permits that are not active should not have to pay a monthly VMS transmission fee for the Science Center to calculate the number of latent permits in the shrimp fishery as the presentation noted, as this is already able to be determined from the requirement of census level trip ticket reporting of landings by the fishery. Dr. Freeman inquired if a census-level approach without dependence on trip tickets would mean there would not be a two-year lag on effort estimates. Dr. Gloeckner confirmed that real-time effort estimates could be provided to the AP and to the Council and be used for management. An AP member stated that every shrimper that lands shrimp in the Gulf must provide trip tickets to the states, and another AP member inquired why trip tickets are not adequate for effort monitoring in the Gulf since trip tickets are used to calculate South Atlantic shrimp effort. Dr. Gloeckner responded that spatial resolution in trip tickets is not adequate. Fine-scale trawling information is available with the current cELBs. Dr. Walter (SEFSC) stated that, with Biological Opinions (BiOps) for endangered species, effort monitoring must be equal to or greater than current levels, so a step backwards to only use trip tickets and thus, is not a valid option. He added that representative effort geographically is needed. Dr. Freeman noted that resampling of vessels with a SPGM permit has also not been addressed, if a census-level approach is not taken. Mr. Strelcheck stated that the agency has to address multiple mandates, including measures to protect endangered species. He noted that the BiOp referred to shrimp effort monitoring being equal or greater than levels for the decade ending in 2021, not in the current year (2024). He added that sampling would need to account for changes in the fleet to be representative.

**Motion: The Shrimp AP recommends that, instead of a census of the fleet, the SEFSC develop a statistically robust design for distributing units to a representative portion of the active vessels in the fleet that would be comparable to the last 10 years.**

*Motion passed unanimously.*

An AP member stated that the number of smalltooth sawfish takes was very small and did not include recent years, which would also account for the recent abnormal smalltooth sawfish mortalities in the Florida Keys. Dr. Farmer (SERO) stated that they are still working through that mortality event which included roughly 50 mortalities primarily from the Florida Keys. An AP member questioned, if smalltooth sawfish are primarily in the Florida Keys and if giant manta rays are primarily around the mouth of the Mississippi River, why census-level coverage is needed.

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<sup>3</sup> <https://www.fisheries.noaa.gov/inport/item/56121>

Mr. Dettloff responded that examining interactions with protected species is only one component of the effort monitoring data need. He elaborated that, from a statistical standpoint, having a census for some geographic areas but not for others biases the selection in both time and space. Dr. Gloeckner added that having information for the entire fleet in areas of protected species interaction would translate into smaller areas of closure, if prescribed, whereas a much larger area would need to be closed without full information for the fleet, since an underestimate of effort exists. He stated that full information helps to minimize impacts to the fleet and that, with areas being considered for wind energy, lack of complete effort data may mean that turbines are placed where vessels shrimp.

An AP member inquired if the summary table of industry costs presented by Dr. Gloeckner would be updated for satellite transmission costs to show the upper bound of the potential costs to the industry rather than only the lower bound which is currently shown in table. Another AP member stated that replacement costs and repair costs should also be included in the industry costs. The AP member also mentioned that, in contrast to Alternative 2, downtime and lost revenue would not occur with Alternative 3 because individuals could still shrimp even if a device was temporarily malfunctioning or broken under Alternative 3. The AP member asked why the table of industry costs did not include lost revenue costs to fishermen which would occur under Alternative 2. Mr. Strelcheck noted that the presented information covers first year costs with an average price per unit. An AP member inquired why there is an additional Federal Information Security Modernization Act (FISMA) cost estimated for cELB data in Alternative 3 as the Science Center has been receiving and housing cELB effort data for over a decade. Dr. Gloeckner stated that there is a new level of security needed under Alternative 3. Mr. Strelcheck cautioned that information technology specialists are not on-hand to answer some of the detailed questions from the AP. An AP member noted the Science Center would likely have to implement and pay for the one-time increased FISMA costs, listed in the presentation, in order to implement the new commercial finfish electronic logbook program recently approved for the Gulf and South Atlantic, so this cost may not be need to be included as part of the shrimp ELB program costs as the increased security would already be in place.

An AP member inquired what the transition to a new program would do for the shrimp industry. Another AP member responded that the data are used to calculate industry effort. An AP member inquired what the cELB program cost NMFS annually. Dr. Walter stated that there was \$1,000,000 allocated annually, which covered the purchase of units, maintenance of units, and payments to a contractor. Another AP member inquired what the cELB program costs shrimpers annually. An AP member inquired why a commercial finfish electronic logbook program would cost so much less than the proposed shrimp electronic logbook program; the AP member then provided a cost comparison overview<sup>4</sup>. Dr. Gloeckner responded that the SEFSC only had to make minor modifications to the existing commercial finish electronic logbook program. Dr. Walter emphasized that only Alternative 2 would reduce costs to industry, due to the Early Adopter Program as well as the national VMS reimbursement program. An AP member stated that none of the tariff proceeds received by NMFS from imported shrimp seem to be used for funding the shrimp industry.

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<sup>4</sup> This cost comparison overview was provided during the Shrimp AP meeting by an AP member and can be found at the following link: <https://gulfcouncil.org/wp-content/uploads/Leann-SHRIMP-cELB-Costs-Data.pdf>

**Motion: To request the Council to receive a brief slide presentation from the Shrimp AP Chair regarding revised cost estimates for Draft Shrimp Framework Alternatives 2 and 3.**

*Motion passed unanimously.*

Mr. Strelcheck requested that NMFS be afforded the opportunity to review the presentation before the Council meeting.

An AP member discussed that the Science Center's position over the last several years has been to refer to the devices as cELBs. The AP member noted that the Congressional funding being used for the Early Adopter Program refers to cELBs. Mr. Strelcheck stated that the Council will be facing a cost decision, related to the agency and to the industry. An AP member inquired why the Chevron Deference case decision allows the government to require shrimpers to pay any monies for this program. Another AP member commented that these scientific data are absolutely needed for shrimp stock assessments, for the juvenile red snapper areas, for National Marine Sanctuaries, for the Endangered Species Act, and for other purposes, but not for enforcement purposes. Another AP member commented that the invasion of privacy a VMS tracking requirement imposes and stated that by changing a scientific data collection program into a law enforcement tracking program, the data are being weaponized.

**Motion: To request the Council's consideration of the following revisions to Draft Shrimp Framework Alternative 3 and to adopt Alternative 3, as so modified, as its Preferred Alternative:**

**Alternative 3:** Implement a cellular ~~VMS (eVMS)~~ **ELB (cELB)** requirement for the Gulf shrimp fishery that provides archived position data **to the SEFSC that is** compatible with the SEFSC's shrimp effort algorithm. If selected by the SRD, the owner or operator of a vessel with a SPGM would be required to install a ~~NMFS~~**SEFSC**-approved ~~eVMS~~ **cELB** that archives vessel position when on a shrimp fishing trip in the Gulf and automatically transmits those data via cellular service to a non-OLE NMFS server. ~~NMFS~~**SEFSC**-approved ~~eVMS~~ **cELBs** would be type-approved **for the Gulf shrimp fishery** through a process external to 50 C.F.R. § 600.1501.

*Motion carried 10-2.*

The AP discussed making a motion to modify the language of Alternative 2 but decided it would detract from the AP's interest in Alternative 3 as the preferred.

### *Update on Shrimp Futures Program*

Dr. Carissa Gervasi (SEFSC) presented updates on the Shrimp Futures Program. An AP member commented on recent seafood mislabeling lawsuits and inquired if that type of information could be posted on the Shrimp Futures Program website for the purpose of further educating consumers to inquire if seafood products are domestic. Mr. Schieble stated that the Louisiana Shrimp Task Force has contracted with a company to test restaurant seafood products to determine if they are domestic or imported products and labeled properly as such.

*Public Comment*

Mr. Greg Lovingfoss stated that the Zen VMS device cost has been reduced to \$545 with installation costing about \$300, for a total of \$845.

Mrs. Tricia Kimball (Port Arthur Area Shrimpers Association) discussed the negative impact of imports on the shrimp industry and how the industry is struggling economically. She commented that effort monitoring was no longer needed because the few operating shrimp vessels in the Gulf could not possibly impact the shrimp stock.

Mrs. Rachal Hisler stated that language in documents does matter and is not semantics.

*Other Business*

No Other Business.

**The meeting was adjourned at 2:44 pm eastern time on December 16, 2024.**

*Meeting Participants*

**Members Present:**

Kristen Baumer  
Leann Bosarge, Chair  
Steve Bosarge, Vice Chair  
Glenn Delaney  
Haley Gambill  
Alan Gibson  
Gary Graham  
Dennis Henderson  
Chris Londrie  
Laura Picariello  
Justin Versaggi  
Bob Zales

Sarina Atkinson  
Jesse Buntin  
Kyle Dettloff  
Nick Farmer  
Kelsi Furman  
Carissa Gervasi  
David Gloeckner  
Frank Helies  
Kimberley Johnson  
Mandy Karnauskas  
Mara Levy  
Alan Lowther  
Richard Malinowski  
Michelle Masi  
Matthew McPherson  
Rebecca Smith  
Kelly Spalding  
Jessica Stephen  
Molly Stevens  
Andy Strelcheck  
Matt Walia  
Mick Walsh  
Kate Walter  
John Walter  
Jo Williams

**Council Staff:**

Matt Freeman  
John Froeschke  
Beth Hager  
Lisa Hollensead  
Jessica Matos  
Emily Muehlstein  
Camilla Shireman  
Carrie Simmons  
Verena Wang

**NMFS Staff:**

**Council Members:**

Ryan Montegut  
Chris Schieble (representative)

**Other Attendees:**

Jason Adriance  
Bailey Archey  
Maria Barrera-Jaross  
Taylor Beyea  
Julie Falgout  
Nikki Fitzgerald

Robert Gill  
Rachal Hisler  
Tricia Kimball  
Kyle Kimball  
Greg Lovingfoss  
Craig Myers  
Nathan Putman  
Ruben Smith  
Nathan Souza  
Liz Scott-Denton