



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
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MEMORANDUM FOR: Clay E. Porch, Ph.D.
Director, Southeast Fisheries Science Center (SEFSC)

FROM: Andrew J. Strelcheck
Regional Administrator, Southeast Regional Office (SERO)

SUBJECT: Status of Reinitiation of Endangered Species Act (ESA) Section 7
Consultation on Southeast U.S. Shrimp Fisheries and Request for
Additional Supporting Analyses

The purpose of this memorandum is to (1) review and update you on the status of reinitiation of ESA Section 7 consultation on the Southeast U.S. shrimp fisheries for their effects on giant manta ray and smalltooth sawfish and (2) request additional analyses to support the reinitiation of consultation.

Background

On June 2, 2023, my SERO Sustainable Fisheries Division (SFD) requested my Protected Resources Division (PRD) reinitiate the ESA Section 7 consultation on Southeast U.S. shrimp fisheries (Attachment 1). Reinitiation is required to address unanticipated observed lethal incidental take of giant manta ray and new information revealing effects of these fisheries on smalltooth sawfish and giant manta ray that were not considered in the last formal consultation¹. SFD also outlined a tentative work plan and timeline for obtaining the information necessary to formally reinitiate the consultation.

The target date for having all of the needed information for a complete reinitiation package and formally reinitiating consultation was April 2024. However, the need to wait for more recent effort data to evaluate corresponding shrimp observer effort data pushed back the schedule considerably.

On March 2, 2024, shortly after 2022 effort data became available, I requested data and analyses needed to support reinitiation and monitor the incidental take statement (Attachment 2).

On July 31, 2024, your staff provided my PRD with two draft reports which, to the extent practical, provided data and analyses responsive to my March 2 requests, including:

- a. Updated bycatch estimates (using data through 2022) for giant manta ray and smalltooth sawfish, along with an assessment and estimation of observer coverage required in the Gulf and South Atlantic shrimp trawl fisheries.
- b. A population viability analysis (PVA) for giant manta ray within the Western North Atlantic Ocean off the United States (e.g., Farmer et al. 2022), evaluating the population's ability to recover from ongoing bycatch as estimated in this report.

Following receipt of the draft reports, our staff met numerous times to explore how to incorporate species distributional analyses, emerging smalltooth sawfish science, and the 2024 major sawfish mortality event into the bycatch estimates and/or PVA. These data included sawfish life history parameters from Kroetz et al. (in prep), initial smalltooth sawfish population size data from preliminary results of close-kin mark recapture (D. Swift unpublished data), 2024 mortality event final data (FWRI, unpublished data), and new

¹ The last formal consultation on Southeast shrimp fisheries was concluded with the issuance of the April 26, 2021, biological opinion.



modeling (Farmer et al. [in Review] and Kroetz et al. 2025). Your staff also updated shrimp effort calibrations and completed shrimp effort estimates for 2023.

All of this work culminated in the product of three final reports: a final bycatch estimates report, a report containing an observer coverage assessment for sawfish and giant manta ray report, and a final revised sawfish PVA report. On May 30, 2025, these reports were all formally transmitted to SERO.

Analyses still pending from the March 2, 2024, data request are the giant manta ray PVA (see revised request below) and the updated sea turtle bycatch estimates for monitoring authorized sea turtle take levels in the 2021 biological opinion and complying with its incidental take statement reporting requirements (anticipated to be completed by July 11, 2025).

Request for Additional Information

Although reinitiation of consultation is still in the pre-consultation or technical assistance phase, staff have made significant progress in assembling the best available information for reinitiation. At this time, we are close to having the best available information assembled to formally reinitiate consultation, aside from any proposed measures intended to avoid, minimize, or offset effects of the action that the Councils may wish to take. SERO will be asking the Gulf Council at their August 2025 meeting, and the SAFMC at their September 2025 meeting, to review the two reports. SERO would also like to provide a summary assessment of key information assembled for the consultation.

To best inform the Councils and support reinitiation, I request the following updates and/or additional analyses no later than July 11, 2025:

1. A final giant manta ray PVA, with outputs of probability of extinction similar to those provided for smalltooth sawfish (Carlson & Farmer 2025, Table 3), and including the following additional scenarios:
 - a. No future shrimp bycatch
 - b. Future shrimp bycatch does not exceed 2023 shrimp bycatch
2. Additional PVA runs for smalltooth sawfish considering how shrimp fisheries may impact the species under the following scenarios:
 - a. No future shrimp bycatch
 - b. Future shrimp bycatch does not exceed 2023 shrimp bycatch
 - c. Incorporation of current data on 2025 mortality event
 - d. Consideration of periodic mortality events
3. Summaries of shrimp effort by area, through time; including monthly and annual trends in effort off Louisiana (Stat Zones 28–30) as it relates to giant manta ray, and monthly and annual trends in effort off southwestern Florida (Stat Zones 1–4) as it relates to smalltooth sawfish.

Receipt of these analyses by the requested deadline will provide our staff with 2–3 weeks to discuss the results and coordinate on presentations prior to the August briefing book deadline. If you have any questions, please contact Jennifer Lee at Jennifer.Lee@noaa.gov or (727) 551-5778.

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