



Louisiana Shrimp Association
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NOAA has issued a final ruling requiring Turtle Excluder Devices (“TED”) for use in all skimmer trawl vessels 40 feet and greater in length. This new ruling will take effect April 1, 2021.

Louisiana Shrimp Association (LSA) on behalf of its members would like to express our concerns about this new ruling on Turtle Excluder Devices.

It is clear that this new ruling will have severe adverse economic consequences for the shrimping industry in the Gulf of Mexico, particularly for small, family-owned shrimpers. Due to the significant costs small businesses will have to incur in order to comply with the proposed regulation, there is a high probability that many, 50% or more, part-time vessels will stop operating” and that “the outcome is not economically sustainable and would likely cause ‘average’ vessels to stop operating.” Based on NOAA’s own assessment, hundreds, if not thousands of family fishing businesses will be forced to close and potentially file bankruptcy, causing many vessel owners, captains, and crew to lose their jobs. Moreover, because Skimmer vessels are seafood harvesters – a primary supplier of shrimp and seafood to the United States’ domestic market – the adverse economic consequences will have a ripple effect on the entire seafood industry and coastal communities of the Gulf of Mexico. Dock workers, ship repairers, processors, seafood markets, and re

Not only are these new proposed TED regulations burdensome, but there is also little evidence to indicate that these regulations are necessary. Under current regulations, Skimmer vessels have not been required to have TEDs in either Louisiana state or federal waters; instead, these vessels must abide by tow time limits that have helped protect the sea turtle population for nearly a quarter-century. Indeed, according to NOAA’s own data, sea turtle populations have thrived under the current regulations.

The new TED Regulation will have adverse economic consequences for Gulf of Mexico coastal communities:

According to NOAA’s own assessment of the potential economic impact of such a regulation, the new rule will have disastrous economic consequences for thousands of small-business fishermen and the coastal communities in which they live and work. Approximately 70 to 80 percent of these vessels are part-time, “mom and pop” family fishing businesses, which are governed by the Regulatory Flexibility

NOAA admitted in its DEIS that the start-up costs for these small businesses to comply with new TED regulations will be in the tens of millions dollars and that there is a high probability that many (i.e., 50% or more) part-time vessels will stop operating due to TED costs.” According to NOAA, the adverse impact of the new TED regulations is so severe that the

outcome is not economically sustainable and would likely cause the “average” Skimmer vessels to stop operating.

Louisiana’s total annual income derived from shrimping is \$1.3 billion and the shrimping industry provides at least 15,000 jobs annually. Many shrimping vessels would no longer be active, hundreds, if not thousands of family fishing businesses will be forced to close and file bankruptcy, putting thousands of coastal residence out of work, including vessel owners, crew, dockworkers, processing personnel, etc. As a result, the overall impacts to our communities will be devastating.

Not only is the regulation unduly burdensome, but it actually undermines the stated purpose of the regulation – which is to protect the sea turtle population. According to NOAA data on the sea turtle population, current regulatory practices, which allow Skimmer vessels to operate without TEDs, have resulted in exponential growth of sea turtle populations. Indeed, NOAA data on turtle deaths suggest that shrimping trawls are safer than trawls with TEDs.

The Louisiana Department of Wildlife & Fisheries (LDWF) completed a bycatch study and issued their report in November of 2019. In this study thirty-three shrimp fishing trips with 363 tows and 501 hours of tow time were observed from July 2019 through June 2020 from 12 individual commercial fishing vessels. Of the twelve participating vessels, 9 fished with skimmer nets, 2 with otter trawls, and 1 with butterfly net gear. The otter trawls were all equipped with bycatch reduction devices (BRDs) and turtle excluder devices, and two-thirds of the skimmer nets were equipped with BRDs. This study clearly showed that the mortality rate of turtles with skimmer nets was zero (0). This bycatch study was done with skimmer nets on 40 ft. vessels and over and also the smaller skimmer nets on boats under 40 ft.

We would like to request that NOAA includes vessels 40 ft. and over vessels in the 5 year study they are presently doing on vessels under 40 ft.

Skimmer net vessels 40 ft. and over are being discriminated against on this new ruling.

Both the NOAA study in 2017 and this new study by the LDWF prove that skimmer nets were not the blame for killing one turtle.

Any help you would be able to provide on this issue would be greatly appreciated.

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