

### The Emergency Response Plan

The reasonable and prudent alternative of the November 14, 1994, Biological Opinion and the accompanying incidental take statement required NMFS to develop and implement an Emergency Response Plan (ERP) to respond to future stranding events and to ensure compliance with sea turtle conservation measures. The Assistant Administrator for Fisheries, NOAA, (AA) approved the ERP on March 14, 1995, and published a notice of availability on April 21, 1995 (60 FR 19885). The ERP provides for elevated enforcement of TED regulations in two areas in which strandings of Kemp's ridley sea turtles are historically high. The first, the Atlantic Interim Special Management Area includes shrimp fishery statistical Zones 30 and 31 (northeast Florida and Georgia). The second, the Northern Gulf Interim Special Management Area, includes statistical Zones 13 through 20 (Louisiana and Texas from the Mississippi River to North Padre Island). The ERP also establishes procedures for notifying NMFS of sea turtle stranding events, and provides guidelines for implementation of temporary restrictions to prevent take levels in the Biological Opinion from being exceeded.

As described in the ERP, restrictions in addition to those already imposed by 50 CFR 227.72(e) will be placed on shrimping in the Interim Special Management Areas if 75 percent or more of the ITL is reached for 2 consecutive weeks. The ERP states that the restrictions are expected to be:

1. Prohibition of the use of soft TEDs;
2. Prohibition of the use of bottom opening TEDs;
3. Prohibition of the use of try nets, unless equipped with NMFS-approved TEDs other than soft or bottom-opening TEDs; and
4. Prohibition of the use of webbing flaps that completely cover the escape opening of TEDs, as described in the Requirements section herein.

In addition, when strandings remain elevated for one month in zones outside the Interim Special Management Area, the Director, Southeast Region, NMFS, may determine that management actions, similar to those specified for the Interim Special Management Areas, will be implemented.

### Recent Stranding Events

Sea turtle strandings on offshore beaches in a number of fishery Statistical Zones in Texas have been elevated beyond historical levels in the spring of 1995.

Shrimp effort declined in south Texas waters in early March from unusually high levels of effort in February, and strandings were generally low throughout Texas during March. In Zone 20, 6 turtles stranded between January 1 and March 18, 1995; all 6 carcasses exhibited severed flippers or other straight-edge wounds. During the 2 consecutive weeks beginning on April 9, 1995, 3 turtles stranded per week on the offshore beaches of Zone 20, where the ITL was 4 turtles. Of those 6 turtles, 3 were Kemp's ridleys. One of the loggerhead turtles recovered in Zone 20 exhibited straight-edge wounds. Most recently, during the first 2 days of the week beginning on April 23, 5 turtles, including 3 ridleys, have stranded in Zone 20.

Elevated strandings for two consecutive weeks have been reported for two additional zones in Texas. Within Zone 19, strandings were above historical levels and met or exceeded the established ITL between March 26, 1995 and April 8, 1995. However, only one turtle stranded in each of the two following weeks. In Zone 21, which lies outside the Interim Special Management Areas, stranding levels were at or above the ITL from March 26 to April 15, but fell to only 1 stranding between April 16 and April 22. Because the most recent stranding reports from Zones 19 and 21 have been low, no management action for those zones is being promulgated at this time, but may be required if strandings again rise in those zones.

The most severe stranding rates occurred in Zone 18. Strandings were low in zone 18 until the week beginning April 9, when 12 turtles stranded on offshore beaches, including 9 Kemp's ridleys. A headstarted Kemp's ridley also stranded. For comparison, from 1991-1993, only 1 turtle stranded in Zone 18 during the same time period. During the week beginning April 16, 16 turtles, including 14 Kemp's ridleys, stranded.

### Shrimping Effort and Enforcement

Comprehensive shrimp effort data are not yet available. However, preliminary information regarding activity within observed ports has been collected from NMFS Port Agents and Texas state officials. The data submitted in mid-April, based on landings and port activity, indicated that the fishery active in Texas and Louisiana did not appear to be significantly different from previous years. However, United States Coast Guard (USCG) personnel conducting overflights off Texas during the week of April 23, reported extremely heavy shrimping effort nearshore in Zones 18 and 20. The location and level

of effort has varied, and has been affected, in part, by fluctuating weather conditions. Beach workers have reported concentrations of shrimping vessels in the vicinity of strandings during the week beginning April 9 and April 16. Recent turbulent weather may have shifted effort into nearshore waters where white shrimp are being targeted.

Enforcement efforts have been increased in the Northern Gulf Interim Special Management Area, especially in Zones 17 through 20. The USCG has doubled their normal operating level in response to the increased strandings reported in early April. NMFS TED Law Enforcement Team members have been deployed to the northern Gulf since April 1. Additional NMFS agents were added to enforcement efforts in Texas during the week of April 16-22 due to the continued strandings.

Enforcement efforts have not identified any recurring gear problems in the northern Gulf in 1995. NMFS gear specialists have been conducting informational and training workshops to assist shrimpers use TEDs. They report encountering soft TEDs with escape openings that were too small and hard TEDs with illegal ramps. Two net shops in Alabama were identified that were unaware that hard TEDs with ramps were not legal, and they have stopped manufacturing TEDs with ramps.

### Analysis of Other Factors

NMFS has investigated factors other than shrimping that may contribute to sea turtle mortality in the northern Gulf, including environmental conditions, oil and gas activities, and other fisheries. There is no information to suggest that red tide or other environmental conditions have contributed to sea turtle strandings thus far in 1995. There were no oil platform removals by explosives during March 1995. One platform was removed on April 17 and 18, 30 miles (48.27 km) south of Cameron, LA. No sea turtles were sighted by the NMFS observers monitoring the rig removal. Seismic survey vessels have been operating throughout the northern Gulf, primarily beyond 10 nm (18.5 km) from shore. One vessel was operating from the beach in the center of the Matagorda Peninsula (Zone 19) out to 9 nm (16.7 km) between April 16 and April 18, during a week of low strandings for that zone. Seismic activities will be ongoing from Freeport through the southern end of the Matagorda Peninsula for the rest of the summer. NMFS has no information to suggest that seismic activities result in sea turtle mortalities. While observers on menhaden vessels have never observed the incidental take of a sea turtle, interactions with the