

Testimony Presented to  
National Marine Fisheries Service  
Public Hearing

Proposed Rule to Amend the TED Regulations  
in the Southeast Atlantic  
and  
Gulf of Mexico

October 24, 2001

Maderia Beach, Florida

By

Salvatore J. Versaggi  
On behalf of  
Southeastern Fisheries Association, Inc.

Good evening:

My name is Sal Versaggi, and I am the co-owner and president of Versaggi Shrimp Corp., in Tampa FL. We, have been a family run business since the year 1912. I am also a past president of Southeastern Fisheries Association, a trade group located in Tallahassee, Florida. Southeastern Fisheries Association is a diverse group of 400 plus members in the seafood industry, and I have been asked to make this presentation on behalf of Southeastern Fisheries Association.

We are proud to say that the United States shrimp industry has probably done more than any other industry to maintain the sustainability of the turtle population. Since the introduction of turtle excluder devices (TEDs) it has been documented that we consistently have a 98% compliance rate. The Kemps' Ridley turtle one of the most critically endangered sea turtles has had a nesting increase of 800% since the mid- 1980s through the year 2000. We in the shrimp industry are pleased to see the remarkable progress made with these animals, and look forward to the day when they will be removed from the endangered list.

Having said that, the problem we have with the proposed rule to amend the TED regulations is that it eliminates all other TEDs, and therefore leaves the industry with no choice. A few years ago all the soft TEDs were eliminated except the Parker TED. Now all hard TEDs will be eliminated except the single grid hard TED.

In comment 1. of the Federal Register/volume 66, No. 191, dated October 2, 2001, on page 50149, National Marine Fisheries Service agrees with environmental organizations, federal agencies, and state agencies, that the escape opening in TEDs is too small. This decision is based on a sampling by the South Carolina Department of Natural Resources (SCDNR) which showed 7 out of 90, or 8% of nesting northern loggerhead turtles had body depths greater than 16 inches. However, the size of the escape opening proposed in the advanced notice of proposed rule making (ANPRM), of 35 inches by 16 inches was based on information from Epperly and Teas (1999), which suggested that 99% of nesting loggerheads of the northern subpopulation had carapace widths equal to or less than 33 inches and a corresponding depth of 15.7 inches. My question is why does South Carolina set the standard for the Atlantic coast and the Gulf of Mexico? If there is a problem in South Carolina, let them make the modification to their TEDs in their area.

Comment 3, on page 50149 of the Federal Register, states that the commercial fishermen of Lafitte, Louisiana, do not want NMFS to prohibit the use of the hooped hard TED. If there are no strandings of leatherback turtles in Louisiana, why should they be forced to give up the hooped hard TED?

In comment 5, on page 50149 of the Federal Register, the United States Fish and Wildlife Service recommends the decertification of the hooped hard TED, the weedless TED, and the abolition of the TED exemption for bait shrimpers. What jurisdiction and field of expertise does the U.S. Fish and Wildlife Service have to make this recommendation? Where is the science to back up this recommendation?

Comment 6, on page 50150 in the Federal Register, states that the Georgia Department of Natural Resources recommends the adoption of a single TED configuration for all areas at all times. According to the Georgia Department of Natural Resources, 30 percent of Georgia fishermen already use the leatherback modification full-time. Once again the National Marine Fisheries Service, agrees with the Georgia Department of Natural Resources which cites the 30% usage. What about the 70% who apparently disagree and don't use the leatherback modification? The 70 percent must have a reason for not using the modification; why don't we find out what it is?

In comment 9, on p. 50150 of the Federal Register, Texas Shrimp Association asked if shrimp loss data had been evaluated, and if the Epperly and Teas (1999) study was submitted for peer review. NMFS replied that they made seven trips to test the leatherback modification for shrimp loss in commercial conditions.

The leatherback modification was compared with TEDs currently used in the Gulf of Mexico and southeast Atlantic. NMFS concluded that the 1% to 3% loss on these trips was not statistically significant from 0. Add 3% to the 10% that we now lose and I would call that significant. I can recall when NMFS said that TEDs were going to increase our production by 5% when they were first introduced. They were wrong then and I think they are wrong now. My common sense tells me that you don't double the escape hole in your net and have negligible shrimp loss. I would hardly call this is a scientific study that would have any credibility in the scientific community, because of the small sample size and the lack of spatial and temporal data. NMFS also replied that the Epperly and Teas study is being submitted for publication in the scientific journal, *Fishery Bulletin*, and as part of that process it will receive peer review. We should wait for the study to be accepted or rejected before we do anything with TED modification. It will be the best available science at that time.

Nothing is said of the cause of the strandings of leatherback turtles. Where are the necropsies on these animals? I have read where one-third of these animals die because of ingesting plastic bags, plastic sheets, monofilament, plastic pellets, styrofoam, and tarballs. Their primary food is jellyfish, and they die from ingesting plastic debris mistaken for jellyfish. They get tangled in gill nets, ropes, and fishing line, but I don't hear a public outcry for biodegradable fishing line. It is always the commercial shrimper who is responsible for everything. As hard as he tries he is always the culprit. Show me anyone else who can match a 98% compliance rate with turtle regulations'.

One-half of all leatherback turtles nest in western Mexico. The theft of turtle eggs for local consumption is a major problem in third world countries, since this is a cheap source of protein. Until this problem is brought under control I don't see much hope for the turtle population.

We should be regulating our fisheries from a scientific database, not an emotional database. Identify the hot spots for leatherback turtles, and tailor make the regulations needed when they are present. Don't paint the whole Atlantic coast, and Gulf of Mexico with the same brush. This issue needs more study.