



**Kemp's Ridley Recovery Team
Meeting Minutes
24-25 October 2002
Sheraton Old Town, Albuquerque, NM**



Team Members in Attendance (in alphabetical order):

Dr. Patrick Burchfield – Gladys Porter Zoo
Ms. Robyn Cobb – U.S. Fish and Wildlife Service
Ms. Therese Conant – National Marine Fisheries Service
Mr. Les Hodgson – National Fisheries Institute
Dr. Patricia Luevano – State of Tamaulipas Government, Mexico
Dr. Stephen Morreale – Cornell University
Dr. David Owens – Grice Marine Lab, College of Charleston
Mr. Earl Possardt – U.S. Fish and Wildlife Service
Mr. Michael Ray – Texas Parks and Wildlife Department
Dr. Donna Shaver – Padre Island National Seashore, U.S. Geological Survey

Guest Speakers:

Mr. Bryan Arroyo – U.S. Fish and Wildlife Service
Mr. Stuart Leon – U.S. Fish and Wildlife Service
Ms. Barbara Schroeder – National Marine Fisheries Service
Ms. Tracy Scheffler – U.S. Fish and Wildlife Service

Rapporteur:

Ms. Kristy Long

Welcome and Introduction: Mr. Leon and Mr. Arroyo welcomed the Kemp's recovery team members. Ms. Schroeder briefly discussed the agenda and described the background for the recovery plan revision. In 1984, the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) (collectively referred to as 'the Services') issued a multi-species recovery plan for listed sea turtles in the southeast U.S. region. The Services revisited this plan in the early 1990's culminating in an individual species recovery plan for the Kemp's ridley in the northwestern Atlantic Ocean and Gulf of Mexico in 1992. Since then, much has been accomplished to recover this species, new threats have been identified, and new information on the biology and status of the species is available. A comprehensive revision of the current recovery plan is needed to incorporate new information and to update and prioritize needed recovery actions.

Team Leader: Mr. Earl Possardt was introduced and appointed team leader. His responsibilities are to serve as a conduit for communication with the Services and Mexico in conjunction with team functions; organize, schedule, and facilitate team meetings; coordinate the various writing and other assignments for drafting the recovery plan; and

keep the team moving forward and making steady progress. Other than these functions, the team leader serves as a member of the team and is not a decision-maker for the team.

Recovery Team Overview/Terms of Reference (TOR): An overview of the purpose of the recovery teams and the draft TOR (Tab 2 in the Kemp's Ridley Recovery Team Background and Reading Materials) were presented. The draft TOR was drawn from the existing TORs developed from the Atlantic loggerhead and Steller sea lion recovery teams. Comments on the TOR were requested from team members.

The Endangered Species Act (ESA) does not require that recovery teams be appointed for developing recovery plans; recovery plans may be written by Service staff. However, given that a recovery team developed the existing Kemp's ridley recovery plan and there is a wealth of new information, the Services felt that a recovery team was necessary to revise the existing plan. The recovery team is an advisory group that is exempt from the requirements specified under the Federal Advisory Committee Act (FACA). The recovery team may organize, in consultation with the Services, technical sub-committees to work on specific aspects of the plan. These appointed technical advisors are also exempt from FACA. The recovery plan is a guiding document and is not regulatory in nature. Team members do not make decisions for the Services, they provide a draft recovery plan to the Services for review and approval. In addition to approving the final recovery plan, the Services appoint or disband recovery teams and provide funding and logistical support. Team members should avoid a conflict of interest in matters which may have a direct or predictable affect on their personal financial interests. Team members should hold any unpublished information obtained as a result of their service on the recovery team in confidence and ensure that it is used exclusively for official purposes. To ensure that team members avoid any conflicts of interest, the recovery planning process needs to be transparent and all interested persons are allowed input throughout the process to provide a balance. Team members do not represent a single entity, they represent themselves as a working member of the recovery team. The team discussed conflict of interest for team members with ties to research or industry and agreed that they would generally use common sense judgement. The Service liaisons (Ms. Conant and Ms. Cobb) agreed to check with their respective general counsels regarding conflict of interest.

The team discussed the use of and access to proprietary information during the recovery team process. NMFS (Ms. Conant) will maintain the administrative record, which will contain all the documents that were used to develop the recovery plan. This administrative record can be solicited if the plan is challenged, but certain documents may be withheld if justified. For example, pre-decisional documents that are confidential will not be released to the public, but will be included in the administrative record. Minutes from recovery team meetings will be sent out to the team for comment and, after approval, will be included in the administrative record. The minutes will capture general discussions, not verbatim conversations. Electronic mail (email) exchanges are part of

the administrative record as well. Communications between individual team members via email should copy Ms. Conant and the team leader, Mr. Possardt. Phone conversations, e.g., regarding sub-committee assignments, should be documented and sent to Ms. Conant. Most likely these conversations would be discussed at subsequent meetings and captured in the minutes.

The Services' joint policy (Tab 5 in the Kemp's Ridley Recovery Team Background and Reading Materials: NMFS/FWS Interagency Cooperative Policy on Recovery Plan Participation and Implementation, July 1, 1994 59 FR 34272) requires public participation above and beyond requesting public comment on a draft recovery plan. The Services must identify representatives of affected interests that can participate in the recovery plan process including the implementation phase. Developing a plan for stakeholder participation will be an important component of the Kemp's recovery team's work.

Bi-national Recovery Plan

Mr. Arroyo explained that USFWS is actively seeking bi-national recovery plans where appropriate. The Kemp's ridley recovery efforts clearly demonstrate a need for a bi-national plan. The epicenter for the conservation and management of nesting beaches is within Mexico's jurisdiction. Mexico has conducted research and conservation programs specific to the Kemp's ridley for many decades. Dr. Luevano highlighted several ongoing efforts in Mexico including the establishment of management plans for areas frequented by Kemp's rидleys. Research and conservation efforts are also ongoing in the U.S. especially to reduce at-sea mortality resulting from human activities. Conservation efforts by Mexico and the U.S. would likely be enhanced by a multi-national coordinated plan for recovery. In response to concerns that the draft TOR lacked language in regards to a bi-national plan, Ms. Conant explained that the TOR was drafted prior to a decision on signatories. The team is to review the draft TOR and changes may be made based on their review.

Recovery Planning Presentation: Ms. Tracy Scheffler and Mr. Stuart Leon (USFWS) presented an overview of the ESA recovery criteria and recovery planning guidance. The minutes reflect the major discussion points.

The current 1990 USFWS and 1992 NMFS recovery planning guidelines are being revised (Tab 4 NMFS/FWS Joint Recovery Planning Guidelines (DRAFT)) to provide a joint document to guide the recovery planning process and to incorporate guidance for the policy changes published in 1994 (Tab 5 Recovery Plan Participation & Implementation and Tab 6 Peer Review Policy).

The definition for recovery under the ESA diverges from a more strict biological definition. Recovery is a process by which the decline of an ESA listed species is arrested or reversed and the threats to its survival are neutralized, so that its long-term

survival in nature can be ensured. A recovery goal is to restore listed species to a point where they are a self-sustaining component of their ecosystem, so that the protections of the ESA are no longer required. The Services published a joint policy for an ecosystem approach to the ESA (July 1, 1994, 59 FR 34273) which emphasizes that a species will be conserved best not by a species-by-species approach but by an ecosystem conservation strategy. The 1994 policy further states that recovery plans should be developed and implemented in a manner that restores the function of the ecosystems upon which species depend.

The team discussed how actions to preserve and protect ecosystem components need to be explained by detailing how those actions will benefit the species. The recovery plan must outline the complex relationships between the Kemp's ridley and its environment. A discussion limited to the effects of, for example, a lethal take incidental to fishing is inadequate. Rather, the scope of analysis should include the impact fishing may have on prey availability or habitat quality and how those impacts affect Kemp's ridleys. The team must be very specific in connecting recovery actions to the Kemp's ridley's biological needs in order to clearly dictate the conservation tasks that are necessary for downlisting and delisting.

The recovery plan should be structured so that the biological needs and constraints of the species are clear and the threats to various life stages are delineated. The recovery plan requires three components: 1) a description of site-specific actions; 2) objective, measurable delisting criteria; and 3) estimates of time and cost for carrying out actions. The recovery plan is a 'road map' to recovery and provides context and guidance for implementation of other sections of ESA such as section 7 consultations, section 6 cooperative agreements, and section 10 habitat conservation plans. The recovery plan is an outreach tool and should be understandable to all stakeholders. Outreach methods may include videos, compact discs, internet web sites and should facilitate the implementation of the plan and identify participants who are relevant to recovery.

The goal of the recovery planning process is to reclassify or delist a species based on specific criteria. The objectives are broad statements about the recovery needs for the species and the criteria are the measures by which you identify whether the recovery objectives have been met. Although recovery criteria must be measurable they are not necessarily numerical. For example, a recovery criterion specified in the manatee recovery plan is that a *network* of level 1 and 2 warm-water refuge sites must be established as refuges or sanctuaries. The criteria must also relate back to the 5 listing factors: (1) habitat loss, (2) over-utilization, (3) disease or predation, (4) inadequate regulations, and (5) other factors. The criteria can consider such things as self-sustaining populations over a range of key habitats, stable or increasing populations and population persistence over specific periods of time, specific reproductive and recruitment rates, and the amount and quality of habitat distribution.

The Team discussed the five listing factors and noted that a listing document analyzing these factors for the Kemp's ridley was not completed because the species was listed in 1970 (along with numerous other species) without a specific listing package. The Services' published a status review in 1995 which considered the Kemp's ridley status based on these five listing factors. This document could be used in developing the listing factors in the revised plan. There was some discussion as to whether recovery goals should focus on both downlisting and delisting, or, since the team is dealing with an endangered species, downlisting only. A previous Court decision upheld the ability to focus recovery plans in a step-wise manner, but instructed the USFWS to clearly explain and support why delisting criteria could not be developed at the time of completing the recovery plan. The Court also instructed the USFWS to identify in the recovery plan a strategy to obtain the necessary information to determine delisting criteria. Therefore, the team may use this approach if warranted.

A critical component to an effective recovery plan is a strategy to monitor and evaluate the plan implementation. Most plans are limited to monitoring species numbers and trends but are inadequate in monitoring threats as management measures are implemented. The FWS is working on an implementation database, which may focus allocation of funds for research and management actions during the implementation phase of the recovery plan. The ESA also requires that a delisted species be monitored for 5 years after delisting to ensure that the species is sustained as recovered. The recovery plan does not have to specify the post delisting monitoring program. However, the FWS recommends that the team identify a well-developed monitoring program that would serve as the basis for a post-delisting monitoring program.

Another tool for ensuring a species maintains its recovered status once it is delisted is by specifying in the recovery plan those regulatory mechanisms that are necessary in order to maintain the species in a recovered status. Regulatory mechanisms are not limited to federal authority and may include state regulations to ensure consistency and maintain recovery. International regulatory mechanisms should also be considered as appropriate.

One component of the recovery plan, the Implementation Schedule, organizes the plan tasks under general broad categories such as beach habitat restoration or research needs. The team discussed options for the implementation schedule. The team has the authority to order, structure, or present the Implementation Schedule in a manner they believe is the most effective.

Process to Revise the Recovery Plan: Mr. Possardt suggested devising and agreeing on a plan format in order to assign various tasks to team members. Ms. Schroeder briefly went over the process of making decisions by consensus (handout at the meeting, attached to minutes). USFWS Region 2 usually identifies the protocol for reaching decisions in the beginning of the recovery team process. One such protocol is a majority rule with the minority opinion stated for the record. Mr. Leon will share some language regarding

super-majority with the liaisons, team leader, and Mr. Arroyo, in order to capture it in the TOR. A concern with a majority rule is that it may lead to alienation of team members in the recovery process.

There was some discussion regarding critical habitat. The team does not designate critical habitat, but could recommend that critical habitat be designated. Additionally, the team can specify essential habitat, i.e., essential for survival, which may subsequently be used as a blueprint for designating critical habitat.

Format of the Plan and Writing Assignments: The team discussed using the same format as the loggerhead recovery plan because it would provide continuity across all plans for each of the species. This would make implementation and use of the plans easier by different stakeholders. The team reviewed the example plan format found in the draft Recovery Guidelines and tentatively decided on the following format:

Background – as in the draft recovery guidelines [Due JANUARY 15, 2002 to Therese
- Therese will work with Robyn to combine and deliver to Earl by Jan. 22nd]

1. Listing status in the US [Earl Possardt]
Legal status in Mexico [Pat Burchfield]
International agreements (e.g., IAC, CITES, IUCN listing – red list) [Earl Possardt]
2. Description/Taxonomy (including genetic information separating olive ridleys) [Earl Possardt/Dave Owens]
3. Population Trends and Distribution [nesting=Pat Burchfield/Patricia Luevano;
marine=Sherry Epperly]
4. Life History/Ecology (i.e., by lifestage, follow loggerhead model)
 - Eggs/embryos/hatchlings [Pat Burchfield/Patricia Luevano]
 - Early transitional neritic [Therese Conant]
 - Oceanic [Steve Morreale]
 - Juvenile development neritic [Steve Morreale]
 - Adult [Donna Shaver]
5. Habitat Characteristics/Ecosystem
 - Eggs/embryos/hatchlings [Pat Burchfield/Patricia Luevano]
 - Early transitional neritic [Therese Conant]
 - Oceanic [Steve Morreale]
 - Juvenile development neritic [Steve Morreale]
 - Adult [Donna Shaver]
6. Threats (by lifestage and category, possibly collapse into terrestrial, neritic, pelagic) [team]
 - Eggs/embryos/hatchlings
 - Early transitional neritic
 - Oceanic
 - Juvenile development neritic

- Adult

7. Historical and Ongoing Conservation Efforts [Mike Ray]

8. Biological Constraints and Needs (team)

The team discussed whether meta-population analyses were needed in the trends and distribution section. The most recent stock assessment is fairly well done and new population analyses may not be needed. Dr. Selina Heppell has a recently published paper on Kemp's ridley demography and the team may wish to call on her as a technical advisor.

CONSERVATION ACCOMPLISHMENTS [Due JANUARY 15, 2002 to Therese - Therese will work with Robyn to combine and deliver to Earl by Jan. 22nd]

Terrestrial

Mexico:

Efforts to establish 7 camps in Mexico for monitoring nesting beaches [Pat Burchfield/Patricia Luevano]

Research on sex-ratios of hatchlings in situ and in hatcheries [Pat Burchfield/Patricia Luevano]

Research on nest success for in situ nests [Pat Burchfield/Patricia Luevano]

Educational efforts / public outreach on nesting beaches [Pat Burchfield/Patricia Luevano]

Economic alternatives initiatives with local peoples [Pat Burchfield/Patricia Luevano]

Research on movements of females off the nesting beaches – satellite telemetry [Donna Shaver]

Training of scientists / capacity building [Pat Burchfield/Patricia Luevano]

Establishment of protective areas for nesting Patricia Luevano

Basic biology / reproductive parameters (e.g., clutch size, re-nesting intervals, etc.) Dave Owens, Pat Burchfield/Patricia Luevano

Establishment of a stranding program [Pat Burchfield]

Development of broad partnerships to conserve and recover [Pat Burchfield/Patricia Luevano]

U.S.:

Monitoring efforts and nest protection along the Texas coast – systematic and/or Opportunistic [Donna Shaver]

Educational efforts / public outreach on nesting beaches [Donna Shaver]

Research on sex ratios of boxed nests and hatchery nests [Donna Shaver]

Basic biology / reproductive parameters (e.g., clutch size, re-nesting intervals, etc.) [Donna Shaver]

Research on movements of females off the nesting beaches – satellite telemetry [Donna Shaver]

Results of experimental head starting and imprinting [Donna Shaver]

Research on nest success [Donna Shaver]
Maintaining a stranding network [Donna Shaver]
Development of broad partnerships to conserve and recover [Donna Shaver]

Marine

Mexico:

Movements of males Donna
Implementation of TEDs Patricia
Designation of sanctuary in waters offshore Rancho Nuevo Patricia
Shrimp fishery closure Patricia

U.S.:

Implementation of TEDs Therese
In-water population studies (FL, Northern Gulf, SC, Northeast US, etc.) Sherry, Steve
Shrimp fishery closure (TX, FL) Mike, Therese
Efforts to rehab (e.g., cold stunned turtles) Steve, Sherry
Various fishery regulations (Gulf and Atlantic) Therese
Section 7 consultations Therese

THREATS [Due JANUARY 15, 2002 to Therese - Therese will work with Robyn to combine and deliver to Earl by Jan. 22nd]

Terrestrial

Mexico:

- Lack of funding and support that might diminish patrols, educational efforts, etc.
Pat
- Development on nesting beaches Pat B./Patricia L.
- Poaching P/P
- Potential for skewed sex ratios Thane
- Climate change Dave
- Nest depredation P/P
- Natural phenomena (e.g., hurricanes) Dave
- Beach driving P/P
- Sand mining Patricia
- Inadequacy of existing regulatory mechanisms Patricia

U.S.:

- Lack of funding and support that might diminish patrols, educational efforts, etc.
Donna
- Development on nesting beaches Donna
- Potential for skewed sex ratios Donna
- Climate change Dave
- Nest depredation Donna

- Natural phenomena (e.g., hurricanes) **Donna**
- Beach driving **Donna**
- Beach cleaning **Donna**
- Oil and gas development **Donna**
- Military activities **Therese/Donna**
- Increased human presence (e.g., poaching, harassment) **Donna**

Marine

Mexico:

- Fisheries off the nesting beaches and elsewhere **Patricia**
- Oil and gas production / exploration **Patricia**
- Release of captive bred turtles into the wild (e.g., disease) **Patricia**
- Dredging activities **Therese**
- Marine debris / pollution **Therese**
- Subsistence take **P/P**
- Alteration of foraging habitat and availability of prey species **Patricia/Les**

U.S.:

- Commercial and recreational fisheries off the nesting beaches and elsewhere **Sherry/Mike/Thereses**
- Oil and gas production / exploration **Therese**
- Dredging activities **Therese**
- Marine debris / pollution **Therese/Donna**
- Alteration of foraging habitat and availability of prey species **Mike/Robyn/Donna/Sherry**
- Military activities **Therese**
- Boat strikes **Sherry/Steve**
- Inadequacy of existing regulatory mechanisms **Therese**
- Power plant entrainment **Therese**
- Noise pollution **Steve**
- Ecotourism boats pulling nets without TEDs **Les**

Scheduling

GOAL – Completed draft April 2004

16-19 February 2003 (travel on 2/16, mtg begins 2/17 a.m.)

- Assignments completed (e.g., introduction section)
- Threats analysis
- Stakeholder participation
- Recovery criteria

-Identify recovery actions

Week of June 8th 2003

- Threats analysis con't
- Review recovery criteria
- Review step-down outline for recovery actions
- Plan stakeholder meeting/participation

Other assignments:

- Mr. Possardt will provide electronic versions of the 1992 recovery plan to team.
- Ms. Cobb will work with Mr. Arroyo to develop a secure website for team work.
- Team will provide additional stakeholder identities and contact information (name, address, email, phone) to Ms. Cobb.

The team spent the remaining time brainstorming an initial list of stakeholders. This list will be expanded on by the team as their work progresses.

Stakeholder Identification:

- Southern Shrimping Association
- CANAINPES
- U.S. Fishery Management Councils
- Federal Resource Agencies – MMS, ACOE, DOS, NPS, etc.
- State Resource Agencies
- National Fisheries Institute
- Government elected officials – state, local
- NGOs – e.g., Coastal Conservation Association, Oceana, Ocean Conservancy, Sea Turtle Restoration Project, Environmental Defense, Sierra Club, Humane Society of US,
- PEMEX
- State shrimp associations
- Gulf and Atlantic States Marine Fisheries Commissions
- Marine education associations – e.g., SeaGrant, National Marine Educators

The meeting was adjourned at 11:30AM on Friday October 25th.