Stephanie Scull-DeArmey: It looks like it's working. This is an interview for the Maritime and Seafood Industry Museum and the University of Southern Mississippi. The interview is with Mr. Paul Raymond – or is it Doctor?

Paul Raymond: No. Just Paul Raymond.

SSD: All right. It is taking place on Friday, April 9, 2010, at 1:00 PM in Hattiesburg, Mississippi, on my end, and in Titusville, Florida, on Mr. Raymond's end. I am the interviewer, Stephanie Scull-DeArmey. First, I'd like to thank you, Mr. Raymond, for taking time to talk with me today. I'd like to get some background information about you, which is what we usually do in our oral history interviews, so I'm going to ask you, for the record, could you state your name, please?

PR: It's Paul Raymond.

SSD: For the record, how do you spell your name?

PR: P-A-U-L. Last name is Raymond, R-A-Y-M-O-N-D.

SSD: When were you born?

PR: 12/11/1955.

SSD: And where were you born?

PR: Augsburg, Germany.

SSD: How do you spell Augsburg?

PR: A-U-G-S-B-U-R-G. Father was in the Army.

SSD: What's your current title and a brief job description?

PR: I am Assistant Special Agent in charge with NOAA, US Department of Commerce's National Oceanographic and Atmospheric Administration. We are the law enforcement branch of that agency, and we enforce the laws that are promulgated by NOAA, such as the Magnuson Act, which is basically the act that lists the regulations for domestic fisheries, the Endangered Species Act, which this turtle excluder device issues under, Marine Mammal Protection Act, the Lacey Act, and numerous others.

SSD: Would you mind telling me the education you had in order to be in your current position?

PR: Well, in order to be a special agent, you have to – it's called the 1811 series. It's the same series as any other federal law enforcement agency in the US, whether it be the FBI [Federal Bureau of Investigation] or the ATF [Bureau of Alcohol, Tobacco, Firearms and Explosives] or DEA [Drug Enforcement Administration]. So we get trained at the Federal Law Enforcement

Academy in Glynco, Georgia, prior to becoming a special agent for about six months. Prior to that, I have a college degree – a college master's degree, actually, in zoology. Most of the agents have a criminal justice background, but it ranges from – all over the gamut. Mine happens to be a science background.

SSD: Where did you get those degrees?

PR: Both degrees – I got my BS and my master's at the University of Central Florida in Orlando.

SSD: Thank you for giving me that background information. I think we'll just dive into these questions that the museum gave us. If we have time to go past question number four, that would be lovely. First of all, have you ever been involved in enforcing compliance regarding the use of TEDs?

PR: Yes.

SSD: Well, tell me about that.

PR: If I recall – I got hired as an agent in 1986. I think the first TED rules came out in 1988, in the Southeast. I've been in the Southeast my entire career as an agent. So, in 1988, the first area that was impacted by TEDs was the Cape Canaveral area. The government began to phase in turtle excluder devices, I believe, in the late '80s. So I was one of the first enforcement agents to come over and begin to enforce a very unpopular law at the time.

SSD: Who was it being enforced on?

PR: Shrimp trawlers. It was phased into the – basically, the first phase was offshore trawlers. It didn't impact the inshore trawlers, so these are the larger shrimp trawlers for white shrimp, pink shrimp, brown shrimp. And Cape Canaveral has both a lot of trawlers and, at the time – and even now – a large – or a larger – population of loggerhead sea turtles due to the shipping channel and the attraction that the shipping channel has for some loggerheads. So that was a critical – scientists decided that was a critical area that they needed to first phase in before it got to other regions.

SSD: Just for the record, a couple of definitions. What is a shipping channel?

PR: Shipping channel is – Port Canaveral – every shipping channel, basically every port that can take in large ships, whether they be military or container ships of any size – they have to maintain a depth of a certain footage, and that extends all the way offshore. So some shipping channels will go miles offshore. In the Port Canaveral area, I believe it was something like forty-five feet because it's off a military base for submarines and others. So it was a pretty deep-water shipping channel, and sea turtles happen to be attracted to these shipping channels to dig down in the mud in the deeper waters.

SSD: They're digging down in the mud?

PR: They settle themselves. It depends on the shipping channel. Port Canaveral happened to have been a kind of an unusual area, where I think the scientists were saying that, especially in the wintertime, loggerheads would get down in the mud. The mud was more like a milkshake substance down there. It wasn't that they had to burrow so much down in there. They can just settle down into it. It either gives them protection or hides them in some capacity, but – whatever reason – they were attracted to it. There's shrimp trawling that goes around there. There's also dredging that happens in there that all can pose a hazard to turtles. Turtles were at that time – and still are – all protected under Endangered Species Act.

SSD: Another definition, for the record – dredging?

PR: Dredging is you have to put dredges in there to maintain the depth – periodically – to maintain the depth of those shipping channels. Otherwise, the silt and surrounding sands will settle into them. If they didn't maintain the depths with dredges, eventually, those larger ships wouldn't have enough depth to come in and out of the ports.

SSD: So the dredges are digging the channel?

PR: Yes, and there's various types of dredges, but they dig the channels to a certain depth. Maybe they're only needed once every couple years. Maybe they're needed due to storms or just deposits; they might need it much more frequently.

SSD: So does that kill the turtles then, to go through a dredging experience?

PR: It depends. That's actually how I started my career with NOAA was as an observer on one of those dredges – not as law enforcement at all, just as a college student – as a master's student. Being an observer, I had worked with sea turtles a lot, and I was an observer on board some of the contracted dredges in there. That type of dredge – it was called a hopper dredge at the time – would and could literally suck up turtles as they were vacuuming the bottom, so to speak. Then, as that sand and water mixture – mud mixture – gets brought up into the pumps of those large dredges, it would blend up and kill the turtles as they were resting on the bottom. So it really has nothing to do with the TEDs, other than the fact that the turtles are typically attracted to some shipping channels in the Southeast, Canaveral being one of them.

SSD: One of the things about an oral history is that you take a lot of side trips, and that's a good thing. So we'll probably stray away from TEDs on more than one occasion, and that's perfectly typical. Actually, it makes it more interesting – kind of what we're looking for. What did you see on the dredge? I mean, how would you know you had –?

PR: The turtle pieces.

SSD: Yes. But where do you see that? Does it accumulate in a bin or something?

PR: Well, a hopper dredge is like a ship with a large swimming pool in the middle, with two large arms on both sides that get lowered – vacuum arms, for lack of a better term. They get

lowered to the bottom, and the pumps will literally vacuum up a slurry of sand and water into that hopper, or swimming pool, for lack of a better term – into the hopper of the ship. Larger sediments like sand and mud – heavy mud and clay – would settle to the bottom of that hopper or pool. It just keeps dredging and dredging – the water would basically overflow the sides and go back in. So we had various methods to try to detect if they were dredging up protected turtles by – they were in pieces at that time, if they did, because it goes through the pumps. You would basically put fencing along the sides so that, when the water went overboard, it would trap larger pieces – filter out larger pieces – so if you knew what a turtle intestine looked like or part of a shell or guts, then you would collect them and identify them and try to attribute it to one or more animals. Also, when they picked the dredges up off the bottom, periodically, they do have to go empty that hopper full of sand, and they empty it further offshore into a designated spot. When they lift those arms out of the water, pieces of turtles – or actually, in some cases, almost a whole turtle sometimes would be still stuck to the vacuum head. So it was interesting. You weren't really popular there because the dredgers wanted to dredge, and the folks within NOAA wanted to document what damage that was doing. If they were doing damage, then there were certain rules that the dredges either had to stop or comply with.

SSD: Was there a way for them to dredge without harming turtles?

PR: At that time, they were trying to develop ways. I think they struggled with that because you've got the engineering feat of dredging in a manner the dredge is built for, and then some obscure thing that nobody anticipated, which was sucking up large sea turtles that happened to be resting or sitting on the bottom. So they tried. They put things on them that would, hopefully, push them out of the way. I think they called them cowcatchers. They actually contracted shrimp trawlers, in some cases, to drag in front of the vacuum heads and try to capture them in nets and then move them out of the way. They tried a lot of different things. I think, to this day, it's still an issue. It's not an issue that I deal with anymore because I now enforce the law and don't really – am not in the science side of it.

SSD: Not observing?

PR: Right. If the fishery managers or the scientists said, "Hey, we've got a problem with a particular dredge. They're not complying with our requirements per this law," then they would call my office, and we would dispatch somebody to go either charge that dredger or the company. But that has not happened, so they must be handling that in the regulatory process.

SSD: Do you know what the penalty is for a dredge that is –?

PR: Well, I think you would just look – the same penalties under the Endangered Species Act for an illegal take. The Endangered Species Act has a lot of different aspects to it. Some is very clear-cut. The law enforcement side is relatively clear-cut. Thou shalt not kill a turtle or shall not disturb a nest. But then they also have sections of it that the government goes into consultation with a lot with other federal agencies. So if the dredge happened to be a requirement from the military or from the Army Corps of Engineers, and they needed a permit in order to get in there to do that, then the law says that those companies must – those federal agencies must consult with the agency that's responsible for the protection of turtles – in this

case, NOAA – and that they have to mitigate it. In other words, they have to reduce the amount of illegal take or harm. Otherwise, they have to cease and desist. If they didn't cease and desist, then the penalties would come into effect.

SSD: I'm looking back at some notes I made. I just want to make sure I understood this correctly. Is it true that the Cape Canaveral area was chosen in part because there are so many turtles there – that it was chosen for one of the first phase-ins for the TEDs requirement?

PR: Yes, a larger known density of turtles, plus it's an area that had shrimping. There are other areas that likely have a lot of turtle activity, but it's got to be in association with shrimp trawling. Loggerheads typically inhabit the same area as shrimp would.

SSD: Are shrimp their diet?

PR: No. No, a loggerhead will eat anything he can get his hands on probably, and it's anything from crabs to crustaceans to slow-moving fish to – if they could eat enough shrimp, they probably would, but they're primarily, I think – they have a huge head for crushing, and so they like a good crab, crustacean diet often. But they're kind of an ornery critter that would eat anything they can get their hands on, I think, whereas the green –

SSD: Any vegetation? Do they eat –

PR: No. No, they're not – no, green turtles, on the other hand, is a turtle with a much smaller head. And it's a herbivore, so it's a grass feeder, so it's going to be inhabiting areas more where there's grass flats – say, down in the Florida Bay, on the north of the Keys area, so it's going to be more of a grazer, more of a cow, whereas a loggerhead is a carnivore and is going to eat meat. So it's really the habitat they're put in. So the place that you find crabs and lobsters is typically the same area that you find shrimp. The shrimpers are not trying to catch turtles; he's trying to catch shrimp.

SSD: And so you mentioned that most of the shrimp trawlers were offshore, not inshore. What's the difference in offshore and inshore?

PR: No, I didn't really mean to say that. The phase-in of the TEDs was first offshore. Offshore would be outside of – it's called the COLREGS line. It's a nautical term that, basically, if you looked at a nautical chart, it's the areas that are from the beach out, basically. And if they go across an inlet, then they would draw a line across an inlet – versus inshore – we're talking all marine environment here – saltwater environment – versus a bay, for example, or a Pamlico Sound up in the Carolinas or Mosquito Lagoon here off the east coast of Florida. Those inland waters were phased in – turtles are in both, but they were phased in for TEDs after the initial offshore stuff in the late '80s, early '90s.

SSD: Actually, you did say that it was the turtles rather than the shrimpers. I was just remembering it incorrectly. Let me look over these notes and see where I want to go from here. So what exactly – just to paint a picture for people one hundred or two hundred years from now, what exactly did you do? What would be a typical day of enforcing compliance for you?

PR: You would make arrangements with the local Coast Guard station and would go to the Coast Guard station and do a training session on TEDs – tell them what the laws were, what they look like, what to look for – and then get underway on a relatively small Coast Guard patrol vessel that would range from, say, a forty-one-foot patrol vessel to a one-hundred-and-ten-foot patrol vessel. You would go look for active shrimp trawl vessels that were dragging their nets for shrimping. You would document all the vessels that were in the area. You would pick and choose the ones that you thought that you wanted to board – in other words, wanted to inspect. You would hail them over their radio, tell them that they need to pick up their nets – because it's a lot safer to do a boarding from ship to ship with the vessel with its nets up, especially in the earlier days. Then once you convince the captain to do that, you would pull up alongside and send a boarding team over. It'd be myself – and usually, a Coast Guard boarding team consists of about three or four other petty officers. You then inspect the nets. In most cases, they're going to be pulling either two or four nets at a time. You'd inspect each one for TED compliance – make sure they have one of the approved TEDs in the net at the time – and go from there. If they did not, then you've got – depending on our policies at the time, you'd have various actions that you needed to do, whether it was seizure of the shrimp catch or more of a compliance educational thing or, in some cases, we – as the years went by, we would even make, in some cases, cases criminal. We would arrest the shrimp captain and take him in and bring him to jail. So it kind of was – there were different phases of TED enforcement through the years.

SSD: So the penalties got more severe as people became more educated about what they were going to need to do?

PR: I think the penalties changed depending on the issue and the years because, at one time, there was almost a riotous reaction by the shrimpers. They were not going to pull them– their father's father always taught them you don't put a hole in your net and, if you get a hole in your net, you fix it right away. Here was the US government, who was telling them, "You have to put a hole in your net, and you have to put this excluder-deflector device in there, and you must deflect sea turtles." Well, that's totally against what they have grown up to be taught to do. Their first reactions are, "I'm going to lose shrimp. I'm going to lose money. You're putting me out of business." So there were many, many public hearings and contentious issues, certainly with law enforcement because we're the ones who do the work with bringing them under compliance. We were the ones carrying the stick to make sure that they abided by the law. We didn't have to digest what the law was or why it was promulgated. Some of us knew, but we were [inaudible] there that says, "You got to have this in there, it's got to be this big an opening, your grid spacing has to be this much, got to have it at this particular angle – you have to have it. If you don't have it, there are consequences." So consequences changed. When we thought they were not – especially in the Gulf of Mexico – when we got to a point, after a couple years into it, where we were not getting full compliance, and we were writing civil administrative monetary fines repeatedly on the same boats, and they just were not compliant. Then you needed to go to a different phase. If we had a prosecutor who was – you know, Endangered Species Act allows both criminal and civil penalties – and if we had a policy and found the prosecutors that were interested in charging somebody that just simply refused to put them in there, then that's what phase we went into. That didn't last that long – the criminal phase – probably less than a year. But we certainly arrested many, many fishermen, especially in Texas and Louisiana.

SSD: So just to check to make sure I know the difference – in the criminal case, you could arrest them and put them in jail whereas, in a civil case, it would be more like a fine or a seizure?

PR: Civil is strictly a monetary administrative process – can be very high, but there is no jail. Yeah. In a criminal case, it can be a felony or misdemeanor. Endangered Species Act – sea turtles is a misdemeanor, which means the penalty is a year or less.

SSD: So turtles are still a misdemeanor offense?

PR: Yes.

SSD: And it's still that way – both criminal and civil under ESA?

PR: Sure. Whether you're talking about manatees or bald eagles or whatever else, it's all under the ESA, and it can be civil or criminal.

SSD: What was your worst day enforcing TEDs?

PR: I don't know. I don't know if we had any worst days. We had non-compliance out there. You would pull up to a boat – I do remember one particular trawler off of Canaveral that, when he was instructed to pull his nets up – you know, you had the captain and the crew that was just irate in the stern of the vessel giving you the old finger and screaming and yelling, so you knew, okay, we've got an issue with this guy. You knew you're going to have – that people needed to be prepared to fight if need be. As you pull up, they haul their nets in, and there was a turtle in the net. So you knew he wasn't complying with the TEDs right then – he was in the bag of the net. There was no TED in the thing. You want to see if the turtle's alive or dead, so you're screaming, "Leave the turtle on the deck. Leave the turtle on the deck." The guy's screaming back at you, and he tosses the turtle off overboard, so it's just total non-compliance.

SSD: Wow. So did you guys ever have to pull out arms?

PR: I know we never did – nothing – I never did. I know that we did have to – we deputized a lot of the state conservation agencies too – JEA, joint enforcement agreement – so just to enforce the laws, because there aren't that many agents, so we rely an awful lot on the US Coast Guard and the state conservation agencies. The Florida Marine Patrol, at the time, and now we're enforcing TEDs for [inaudible] off of Jacksonville, and I know they had a serious scuffle on board the boat and had to arrest the captain on the spot, handcuff him. Luckily, that marine patrol officer knew how to handle a sixty-five-foot trawler and bring it in because when you – if we often seize the catches of somebody who's in total non-compliance. Otherwise, it's a cost of doing business, and these guys – they'll pay the fine, but if they can go out and catch a lot of illegal product, or, in this case, a lot of shrimp without TEDs, then, if you let them keep that all the time, then you're going to have non-compliance all the time.

SSD: Right. It's worth it for them to pay the fine if they can keep the catch. Yeah.

PR: Sure. Yeah. So would seize the catch. That was an immediate deterrent for these guys. They did not like that. They might be out there fishing for three days or, down in the Keys or in the Gulf, they can fish out there for maybe a week. They can have a lot down in their ice hold. They knew our policy, so they knew, you know, once we're going to catch them, we're going to direct them in, so the attitude was, "Okay, you bring my boat in," and that can be a problem.

SSD: Yes, like I'm not going to bring it in for you if you're going to take my catch – it'll sit right here kind of thing?

PR: Sure. I'm not going to help – I'm not going to offload the catch; I'm not going to be compliant in any way. I know you're seizing my catch. So that's true with any of our work, whether it's swordfish or tuna or a container ship coming from Brazil. You've got to be able to handle a situation when people are not abiding by the law.

SSD: Yes. That's something that I hadn't really given any thought to – there would be that whole big boat and all the contents of it out on the water and what happens to it. What does happen to a catch that you seize?

PR: We sell it. We go out for fair market price. In other words, we typically will become a temporary seafood broker and, say, make – we want to get a fair price for whatever we're selling because the check goes into an escrow account that just sits there until the case is adjudicated. If the government lost the case, then the fisherman would get that money back, so you don't want to sell it for peanuts. So we get fair market price. We usually call three or more fish houses and say, "This is so-and-so in the US government, blah, blah, blah, and we're seizing ten thousand pounds of shrimp. Are you interested in buying it? If you are, what is the price per pound you're willing to give us?" Then we hang up, and we do it again another time. Often, the dealers either are totally – they want it, and they want it cheap because they know it's a seizure, or maybe they were friends with the captain, and they don't want anything to do with it. But typically, it's not hard to sell the catch. Logistically, it can be hard, but you can usually find buyers because everything is money, and if they can profit from it (inaudible). So it is sold. It's brought in. It's offloaded. It's sold to – at fair market price. A check is cut to the US Department of Commerce. That check is mailed to a secure lockbox. It would sit there for whenever the case was finally adjudicated. Once it's adjudicated, that money – and we win most of our cases because we wouldn't be moving forward for prosecution if not – then that money then can be put into an asset-forfeiture fund, which can be utilized for future trainings or investigative work or whatever – education.

SSD: Is it ever used to buy patrol boats, or is it just –?

PR: Yes, I think it has been used for that. But it can't be used for salaries and things like that.

SSD: Oh, interesting.

PR: (inaudible) manpower, so it can be used for a pair of binoculars for the state officers who happen to need it or something.

SSD: Very interesting. So when you stop the shrimper and they have to pull up their nets at that time, and you come aboard, what happens to what's in their nets then, after you've looked at it? Does it mean that they have to stop at that moment and unload the net and sort everything out and start a new run?

PR: No. No, it really depends on the patrol vessel we're at. Sometimes a coxswain, which is the driver of a Coast Guard boat, for example, would be very comfortable with pulling up to a trawler that may be continuing to drag, so you wouldn't necessarily have him pull up the nets prior to getting on board. However, if you've seen shrimp trawlers, there's a lot of rigging – there's a lot of cables that are very taut because they're pulling a lot of weight in that water. And it's very difficult for these coxswains to get a patrol boat safely next to a shrimp trawler with nets deployed and get on board. Ideally, we would like that to happen. We would like to get on board before the nets came up because if you do it over the radio, you say, "Skipper, you need to pull your nets up." And he'll be like, "Well, I've only been dragging for an hour. I'm not ready to pull them up." You go, "Well, when do you play to pull them up?" And he goes, "Uh …" he doesn't have a TED, he's going to say, "Maybe three hours." You go, "No, Skipper, you got to pull it up now. So if he didn't have a TED in there – what came in the later years of TED enforcement was they would often have the TEDs in there. There are various types of TEDs, as you probably know. There were many different designs at the time. Now, only a handful are accepted – they like them. But back then, they were trying different types. There was a soft TED that was available, which wasn't a bar panel – deflector bars that could deflect the animal up and out an opening. It was a ramp of – it was a net inside of a net, basically. It was a large mesh inside of a small mesh shrimp net. Well, those are really hard to determine whether they got them from a distance. You can see the big charcoal grids right from the beginning – you say, "Okay, he's got a Georgia TED, or he's got this kind of TED in there." But a soft TED is hard to see unless you get right on board. It's even harder to tell if it's installed correctly until you're on board, and you lay it out on the deck, and you make sure that there is a deflection panel there, not just something to trick us because there was a lot of – what's the correct word? There were a lot of sneaky things that can be done. They would weave line – they might have a TED installed, but they would weave line at the escape opening, basically sewing it shut. But it was done in such a fashion that they could pull that line and undo the stitching and open it back up within seconds from them pulling it onboard their deck – before you were even on board. So we would like to be on the deck in those kinds of situations so that it's not manipulated. We can tell what was actually happening in the water. Is this installed in such a way where it's actually serving its purpose, and that's to remove larger objects, such as sea turtles, and deflect them out? If you sew up the opening with a tripwire – we called that a tripwire – they used everything from a dowel rod to stitching. Stitching was very common. And they could pull that pretty quickly. If you didn't see it before you got on board when you get on board, everything looks fine – until you look at what's in the bag of the net – caught into the net – and then sometimes you'll see like big sharks or rays along with the shrimp, and you go, "Something's not right here, because that TED would have deflected out those sharks and rays if this was installed correctly." So then you got to look a little closer and do some more interviews.

SSD: If that were all the evidence you had – just that there were big things in there but not necessarily turtles – well, not turtles – let's say there were no turtles in there but sharks and big rays. Is there enough evidence to –?

PR: No.

SSD: No?

PR: Not if the TED was installed. By the time we get on board – and if the TED is – if we can't find anything wrong with that particular TED now but just to go to our attorneys and say, "Yup, TED's installed. It had an opening of this height. The deflector grids are good. But it had some big items in the back, past the TED. There's no way it could have been working." That's not going to get prosecuted. Maybe the animal turned sideways and got through it.

SSD: About how long did it take for you to inspect a soft TED?

PR: Well, I don't think – any of the TEDs – a compliant boarding with everything going smoothly is going to take at least an hour, hour and a half because the Coast Guard does its safety checks and paperwork along with the fishery agent and looking at the wildlife and the TED aspects of it. And then if there's problems, it could take a half a day because you're going to then take that – or even longer because you're in the Gulf and you're way offshore because you're going to escort that trawler right back to the dock and end up seizing a catch.

SSD: Yeah. Did you ever do any night boardings?

PR: Sure. Or, in many cases, TEDs are – it depends on the shrimp, and it depends on what they're doing. So there are certain shrimp that are daytime – like white shrimp is typically a daytime fishery – but pinks and brown shrimp and rock shrimp are nighttime fisheries, so (inaudible) at night. The trawlers usually anchor up in the daytime, so that's when you have to do it.

SSD: Yeah. But the same kind of approach and everything?

PR: Same type of approach, yeah.

SSD: Seems like it would be harder to do at night, though, without ambient light.

PR: It's harder. Yeah, but it's also easier for us to creep up on people who – because once you do one, you'll see the whole fleet that doesn't have the TEDs – you would see the whole fleet scatter. And I'm talking historic here because I don't want to make this sound like – what is it now? We're twenty years into it, so compliance is very good now.

SSD: It is?

PR: Yeah. So these are all kind of – most of these are historic war stories type of thing.

SSD: Yes, the early days?

PR: Yes. The early days were a good ten years, so it took them a while to really start to believe in this new device.

SSD: It's interesting that you haven't mentioned Kemp's ridleys because everyone I've talked to so far – it was the Kemp's ridleys that were the big issue. But –

PR: I'm on the Atlantic. I'm on the Atlantic side. I did a little bit of work in – one, Kemp's ridleys are a relatively rare turtle. So it may have been one of the – when you talk to the scientists and the gear specialists, that's going to be one of the driving forces for the urgency of putting TEDs in because they were on their way out. The Kemp's ridley was highly endangered. Kemp's ridley is much like a loggerhead in its feeding pattern, so it's going to be in the same type of areas, right? On the Atlantic side here, there aren't that many Kemp's ridleys. In fact, there's very, very few.

SSD: Apparently, there are quite a few in the Carolinas – a little more north. That was my understanding from a woman – Sally Murphy. Does that name ring a bell?

PR: Yeah, I knew her as Sally Hopkins (sp?) before she –

SSD: Is that right?

PR: – [inaudible] Sally Murphy. Sure.

SSD: Yeah. Prior to the TEDs going in there, they had many, many strandings on the Carolina beaches.

PR: But always remember that, if they say many, many strandings of Kemp's, there are going to be ten times, if not a hundred times, more loggerheads in there, because it's just a much more common animal, and it's still protected – it's threatened on the ESA – and it's the primary sea turtle on the East Coast here, both for nesting and for foraging on the Continental Shelf here.

SSD: Now, is it the loggerhead or the leatherback that have been so unchanged throughout geologic time?

PR: I think most sea turtles have been there for a while. But the leatherback is the deep-water one that feeds almost exclusively on jellyfish and can travel into pretty cold areas to the north, and is kind of a more of a nomadic, pelagic animal, whereas the rest of them are going to be more associated with the Continental Shelf and the shallower water because they depend on either seagrass, for green turtles, or coral reefs, if you're a hawksbill turtle, or the ridleys and the loggerheads are foraging for crustaceans and stuff – rocky cost.

SSD: For the record, what is the pelagic area?

PR: Open water. If you say a fish is a pelagic fish, it's more a deep water – open water – like a marlin is a pelagic fish – whereas red drum is a bottom-feeding animal. Pelagic is deep water – something that forages in the water column – can be two hundred miles offshore – very, very

deep water because they're feeding in the water column. [inaudible] usually much more migratory.

SSD: What would you consider shallow water?

PR: Continental Shelf – [inaudible] the Continental Shelf.

SSD: And do you have a ballpark figure for that?

PR: I don't. Maybe two hundred feet – hundred-foot, two-hundred-foot.

SSD: Is there anything else that comes to mind when you look at the first question about compliance regarding the use of TEDs and your experience?

PR: Well, questions – the one, two, and three are all kind of similar – I've kind of been running through all of them. But have you ever been involved in enforcing compliance – the answer would be yes.

SSD: Right. [laughter] Yes. We have talked a little bit about how compliance using TEDs has changed over the years. Does anything else come to mind when you think of that?

PR: We talked about the penalties and how they went from criminal to civil. There was an educational phase there, in the early days, where you basically tried to be kinder and gentler and say, "We need to use these things." Then it got ramped up into civil penalties for folks who clearly knew what the law was. Then we went to a criminal phase – that we talked about – for a while. Then we went back to a monetary, civil phase, and that's where we've been for a while. As far as the strategies go, we have gotten the regulation writers to change the rulings – the TED rules – so that we can do dockside enforcement now. In the early decade, we had to basically catch them in the act of trawling. The violation was trawling without a TED. So if I had five docks – five vessels that were sitting at the dock clearly didn't have any TEDs in them, I couldn't do anything because of the wording of the regulation.

SSD: How frustrating.

PR: We had to go offshore and actually – and then I'd catch them transiting because they could –we had to catch them in the act, have them pull up the nets, verify they were shrimping because if they were fishing for jellyfish or if they said they were actually fishing for fish here, not shrimp, the early laws said no, it had to be – the shrimp trawlers were required to pull TEDs. So as the years went by, enforcement would have more of an impact, saying, "You need to reword this, because we can be much more effective if it's rigged for fishing," so if the wording is a shrimp trawler that is rigged for shrimping, then it has to have TEDs. Then you could do a lot more dockside inspections. Dockside inspections, obviously, are – you can do more of them. You can train the state officers, who don't typically take a small boat fifteen miles offshore or wherever the fishing grounds were.

SSD: You don't have to have a boat to do it.

PR: You don't have to have a boat. You drive up and do it – which is what the wording is now. We can go do TED checks at the dock. If we think that there's a problem, you can – and now, it's not whether they have them or they don't have them. It is more the finetuning of them because if you have it installed incorrectly and it's sitting straight up and down instead of at a deflecting angle. That's just going to pin things up against it, right? A shrimper doesn't want that. He's going to be clogging everything up there, from garbage to tires to sharks and rays to turtles [inaudible clogged up [inaudible].

SSD: Which means he gets no shrimp?

PR: Yeah, and then it's going to – at least going to start losing shrimp, so gear specialists have worked hard on this to get these things to a point where they work to the benefit of the shrimper and to the benefit of the turtle.

SSD: Yeah, win-win. Anything else that you want to add to that?

PR: No.

SSD: Does your agency engage with others? We talked about the Coast Guard, and you deputize some people. Anything else?

PR: From an enforcement standpoint, no, it would be working with the US Coast Guard, both in the training aspects of it – because it's not an easy rule. There are a lot of complexities to the TED rule – and the state. Every state, we'd deputize and enter into an agreement – with the exception of North Carolina. So it's called a joint enforcement agreement. The federal government actually pays them money, and they help enforce federal law. If TEDs are a priority in a particular area, then we will have that particular state agency – such as Florida – Florida's got turtles on both coastlines – to spend more time on the issue.

SSD: Why not South Carolina, do you know?

PR: North Carolina.

SSD: Oh, I'm sorry. Why not North Carolina?

PR: They choose not to want to be involved at this point in time with a joint enforcement agreement.

SSD: Do you know why?

PR: I don't know why. I think it has to do with maybe – there's many theories. I'll give you a couple theories. One is that they are very busy doing state laws. One theory may be that politics is involved. (laughter) And one theory may be that the commercial fishing industry may not want them involved.

SSD: Well, if we had been doing this interview strictly for the Center for Oral History, we would have started with question number five. The reason is that what we find is ordinary today will be of interest to people in the future, when they might be listening to this, and what seems ordinary about your childhood now will be interesting to people in a hundred or two hundred years. So if you have time and you don't mind, can we go through some of these other questions?

PR: Sure.

SSD: Well, tell me about your growing-up years. Where were you, and what were the kinds of things you did as a kid?

PR: I was an Army brat with three brothers and traveled a lot. Father was a Green Beret and served three tours in Vietnam, so we kind of grew up on Army posts, from Okinawa to Fort Bragg, North Carolina, to California to South Carolina. We had a great childhood. At the time, I don't think – I remember most about moving all the time.

SSD: Did you like that or not like that?

PR: Not at the time. Not at the time because you got pulled out of school continually. I think we added it up one time, and there were like thirteen different schools that we went to between elementary school to high school. So you're always having to get new friends all the time. So it was a good thing that I had brothers. In hindsight, I like it now because I got to see an awful lot. But at the time, nobody likes to be uprooted in the middle of the school and then have to go into a new school and a new area. It's all we knew. Most of the friends were military too, from a military family – so you didn't probably think about it a whole lot. You didn't have a choice.

SSD: Right. Yeah. Well, how about academically – was it tough to move from school to school?

PR: No, I don't even – it's kind of a blur to me until late high school, so I think it must have been relatively easy.

SSD: Mine's a blur too. Maybe that's just because our memories are forming.

PR: Right. And you remember playing tetherball, but you don't really remember learning geography as much. You just learned it, and it must have been relatively easy.

SSD: Yes. Or didn't learn it.

PR: Or didn't learn it at all. Exactly.

SSD: [laughter] Yeah. So why did you choose your career path? Why did you choose to study zoology?

PR: I didn't know. Coming out of high school, I liked the sciences. I think I originally, for less than a month, was a microbiology major until I realized I didn't like the smell of Petri dishes. Then, there's usually a couple of key teachers or professors in there. I had one in particular. UCF, which is University of Central Florida, had a fabulous three or four professors in that department, who were very field-oriented. My mentor – and probably, to this day, still my mentor – is Dr. Lew Ehrhart, who was a mammalogist out of Cornell. And he converted over because he got grants through NASA to work on sea turtles. So actually, for me, this actually comes all full circle here – and not by any career choice. I finished my undergraduate school and liked zoology. There weren't a lot of jobs out there at the time – and probably true to this day. There's just a lot of soft contract money out there. You can get money to work on manatees for a while and sea turtles for a while, but your choices are pretty limited. You either continue in academics, or you work for the government, whether state or federal or local, or you become what we affectionately call a biostitute (sp?), and you start working for a private company, who may have other special interests in mind as you work for them. So this professor that I really admired and worked with as an undergraduate actually came to me after I had graduated with a BS and I was working on manatees, and he asked me if I wanted to go to grad school because he came up with some money. So I did that for a long time. Then it was actually that dredge project I talked about – because I was finishing up my master's degree, and there was this issue with dredges, and they were looking for people who knew about sea turtles to be an observer on board there, and that led to – I did that for a couple of months and wrote up a report. I think, eventually, someone liked that report down the road. When they had an opening within NOAA, they gave me a phone call and said, "Hey, I got an opening for a protected species biologist position. Are you interested?" And I was. I did that job for about two years as a biologist [inaudible].

SSD: What was that work like? Can you paint us a picture of what that work was like?

PR: The work was like sitting at a desk, pulling out inbox – it was not like I had anticipated. I did a lot of fieldwork in college and a lot of hands-on critter-type fieldwork and writing things up. The government job was an inbox-outbox thing, where you sat at a desk, and you pulled out a document – and you remember that section – well, I didn't really go into details, but what I did, basically, was I looked at projects that were having an impact on endangered species. So one of them would have been a dredging project. One of them might have been with the – what do you call it – Minerals Management Service, which are the government entity responsible for oil platforms in the Gulf of Mexico, where there are tens of thousands of those. And when they get old, and they want to remove those, they blow them up. When they blow them up, there may be sea critters involved.

SSD: Of course.

PR: If the sea critters happen to be listed under the Endangered Species Act, then that agency has to consult with NOAA about any impacts. So I would pull that one project out of the basket, read it, ask questions, try to make a determination of whether or not it had negative impacts. And after a while, I didn't like it at all. I didn't feel like I was making any real difference, because if it's the US Navy or the Minerals Management Service, or if it's a large project, you're really – I used to say you could extort – no, that's a bad word – get money out of those particular

entities, but they're still going to do the work anyhow. It was an important project, right? But after a while, it just became a desk job, and I didn't like it. I took a downgrade and went over to a small group that was in law enforcement. I liked that kind of work also. The gauge that I always use is, if you're looking at a clock waiting for the day to pass, then you need to get a new job. I was doing that. Ironically, as a biologist, I was doing that for the government. But as an agent, for the most part, it's been a blur, so that [inaudible].

SSD: Yeah? In a good way?

PR: Yes.

SSD: Yeah. Interesting. Well, you got to do some fieldwork in enforcement, right? Yes.

PR: Until I became a supervisor, and then they kick you back to the desk.

SSD: So, how long have you been doing that?

PR: A long time. I've got twenty-four years in as an agent. I've been a supervisor for probably twenty. I moved quickly and took a supervisor's job. It's a field supervisor's job, so I'm a first-line supervisor, which I think is the best supervisor job. You're not management solely, so you can represent the field agents, and you don't have to represent always the budget or Washington, so it's the best of both worlds.

SSD: Well, great. Well, we talked about your current position. Can you paint us a picture of a typical day at work for you?

PR: Come to the office, turn on the computer, [laughter], review cases – I review cases [inaudible].

SSD: So when you're reviewing cases, are you making phone calls? What happens?

PR: Well, I have from the North Carolina-Virginia border to about central Florida coastline, which entails three field offices and seven agents. Now, those seven agents will all work with the US Coast Guard in that region and those states to create and investigate abuses. So they can be extremely complex international cases, or they can be very relatively simple. A TED case is relatively simple. Those agents will take those cases and write them up for prosecution, and they'll go through me to review them. If they need to follow up, then we'll send it back for follow-up. If not, if they're in good condition, we forward them over to our attorneys, who will then make a decision whether or not to prosecute this. Then everything else that goes along with supervision, which is not the fun stuff.

SSD: Sort of like evaluating employees for raises and –

PR: Sure. You [inaudible] employee – yeah. Twice a year, you've got an awful lot of – and in law enforcement, you have to enter all the data. Somebody has to enter all the data into the computer for background checks and priors and intelligence, and everything else. We have a

system that can be extremely labor-intensive, both for the field agents and the supervisors to do that. So that's not a favorite thing. Then you got just general guidance that comes along with supervision.

SSD: Yeah. There's something you said I was going to ask you about. Oh, I know. What are some other kinds of cases besides turtles that you look at?

PR: Well, turtles is not – we didn't finish the TED story. We do very little TEDs now. And it's just because there's good compliance. At my office, which handles most of the South Atlantic, we probably see less than five or six cases a year.

SSD: Well, that's good news.

PR: It is very good news. No, it's a success story, I think. It's been twenty years, but it's a success story now. Hopefully, everybody's wiser, and there are more turtles out there as a result. My real passion is doing international cases, where the product comes into the US for consumption, so whether it is lobster from the Caribbean or Central America or illegal catfish that's falsely labeled from Vietnam, these are cases that are multi-million dollars in their scope, and there's a lot of – because seafood is money, like any other commodity, there are ways to try to profit from illegalities. Often, it's done in foreign countries that have – they have laws on the books, but they don't – if it's from a developing country, they just don't have the manpower like the US has to look at it. So when that product gets imported to the US for US consumption, it's not a whole lot different than the drug trade. If you're the demand for the product, and it's illegal, whether it's too small or falsely labeled, then we have responsibilities to prevent that. Fortunately, we have a law called the Lacey Act, which is very powerful. It's one of the older conservation laws (inaudible) –

SSD: L-A-C-Y?

PR: The Lacey Act – Act – A-C-T.

SSD: But what is Lacey?

PR: Lacey is, I think, from Robert Lacey, back in the – I don't know when it was – 1940s.

SSD: Is that L-A-C-Y?

PR: L-A-C-E-Y.

SSD: E-Y? Okay. Lacey Act.

PR: In a nutshell, it says – there's many different aspects. It has to do with false labeling, for one, and fraud, but one of the more common use prohibitions is, in a nutshell, it says that you can't violate another country's wildlife laws. Whether it be timber or seafood, tigers, elephants, you can't violate another country's wildlife laws and then import that product or import the money from that product into the United States. So if you are harvesting lobsters illegally in the

Bahamas or in Honduras or Brazil, they all have laws down there that, if they're not actively enforced, that product then enters the US, and we're able to investigate that to see – and cooperate with those other foreign entities who want your help because it's their resource and go after these larger companies and corporations in the US who know exactly what they're doing, are putting it in some kind of hidden compartment or coding it out as a product that it's not intended to be, getting it into the country, and then basically spewing it across the US for consumption in restaurants. A good example would be these catfish cases that we're working on. There is a fish called a basa – pangasius is the species – that's in Asia. It's in Vietnam. It's a farm-raised catfish. A couple of years ago, the US put taxes and tariffs on that product originating from Vietnam. Some unscrupulous US companies and Vietnamese companies wanted not to pay these significant taxes, so they decided to change – it's a good eating whitefish – they chose to illegally, falsely label these huge containers – these forty-thousand-pound containers that were coming in with these pangasius Vietnamese fillets. They called them grouper, snapper. In the Northeast, they called them sole and flounder because it's a fillet form. So you probably read a lot about this because I would venture that you could go to ten restaurants right now and order a grouper sandwich, and of those ten restaurants, many of that grouper would be this pangasius, which is a cheap farm-raised product that doesn't warrant the prices that grouper does. So if you're paying much more because you think you're eating a grouper sandwich, yet you're eating farm-raised Vietnamese catfish, that's hurting a lot of people. It's hurting the people that are locally legitimately harvesting grouper because it's flooding the market with a cheaper species that it's not. It's also they're avoiding taxes and tariffs that were put in place. There's a lot of that going on. Seafood false labeling, in my opinion, is the biggest problem in [inaudible].

SSD: Well, so how do you know that they're labeling them falsely? How do you even have an inkling to look for something like that?

PR: Well, it's not as hard as you think because they had a history of it – bringing it in. They had a history of bringing it in legitimately prior to the tariff.

SSD: And suddenly they stop?

PR: So if company A is sending in a million pounds of this stuff year after year after year to US company B, and then, all of a sudden, you implement a tax or a tariff on it, and that company now no longer imports the product because, if you import a product, US Customs requires you to put it in a harmonized tariff code. We track our imports into the US. So if it was coming in under a code that said it was basa for years – millions of pounds – and then, all of a sudden, they dropped off the face of the earth and, all of a sudden, they're now in the grouper business or in the sole business or in the flounder business, that's suspicious; that's a hint.

SSD: It's a place where data collection's really important – documentation – yeah.

PR: Oh, absolutely. So then you investigate. And you get in there, and you investigate. You look. How many people knew that this was going on? Is it just the importer? Is it just the exporter? Or is it a lot of the wholesale distributors around the country, or is it many of the restaurants? The answer is all of the above, in many cases. But we don't have the manpower to

go after all of the above, so we choose the bigger fish, so to speak. Often we'll try to go after the importer and the exporter because they're the ones that are profiting the most, and they're the ones who are conspiring [inaudible] on e-mail. It takes some effort to change all those documents and to change all those labels on those boxes to [inaudible]. And then there are laboratories that are set up that can give us genetic testing of it all, and we can get an affidavit from them and –

SSD: And it says this is not catfish [inaudible].

PR: Or this is not of any grouper species. This is pangasius. That's true with a lot of these cases, whether it's Patagonian toothfish from Antarctica or – we do a lot of lobster work in the Southeast because lobster's such a high-price commodity coming from the developing countries down south to – queen conch. There's just a huge issue with illegal seafood that gets entered into the US.

SSD: Do we import conch?

PR: Yes. Sure.

SSD: That's weird because I just was thinking that you're not supposed to eat conch. I had a friend who went to Mexico, and it was really bad if you brought a conch up after snorkeling and killed it.

PR: Yes. But there are some legitimate conch areas in the Bahamas, but the US protects queen conch, which is one of the primary species CITES listed. CITES is the Convention on International Trade and Endangered Species. Certain conch aren't doing as good, so if certain conch are allowed and others are not, and you're trying to make a profit legally or illegally, and you're down in some developing country, then you ship it in, and you call it the more popular legal conch species. Right? So there are legitimate conch imports, certainly.

SSD: So, let's say I'm an exporter in Vietnam, and I'm sending illegal fish to the United States. You then can come from the United States and prosecute me in Vietnam?

PR: I would prosecute you, and we have done this. I would prosecute whoever you sold it to here. I would investigate and prosecute whoever bought it from you if they're in conspiracy with you. I would go after you. I would attempt to indict you. If I got an indictment, it would be sealed. Vietnam is not a country that's going to extradite you. But if you like to travel to the US, when you go through the Miami airport, and they scan your passport, something's going to pop up there that says you've got a pending indictment for a federal Lacey Act felony – Lacey Act indictment, and they're going to detain you until I can get a phone call to go down there and arrest you.

SSD: Wow.

PR: Or, in one case, this Vietnamese fellow liked to go to large seafood trade shows, one of which is in Boston. He didn't go to that. He may have suspected that he was indicted, but a year

or six months had passed, and he wasn't quite sure. He knew that investigation was going on in the US, and there were people here that were getting in trouble. But he went to one in Belgium, and Belgium does extradite. So when you go to Belgium – we thought he would go there, and we had him in the system, so to speak. He was picked up by the Belgian authorities. Then, there's the long bureaucratic process to try to extradite somebody who didn't want to be extradited. To make a long story short on that one – we did not get him. The Belgians, after several months, had their own little hearing and released him, so he is still out there. We've got a few characters like that that are around the world that we'd like to get our hands-on.

SSD: But even if you can't get your hands on them, you did stop their product from being imported here?

PR: Hopefully. Also, (inaudible) if he knows about it, his life is pretty restricted. These are not small entities. These are big businessmen, and they travel, and they now are maybe far more restricted into where they can go.

SSD: They lost some freedom.

PR: They did.

SSD: Yes. That's really interesting. I'm looking at these other questions that have to do with the Gulf of Mexico, and I'm realizing you're on the Atlantic side.

PR: Right.

SSD: But what do you think about bottom trawling in terms of harming bottoms anywhere? Do you think it does harm the ecosystem of the bottom of the Atlantic to trawl?

PR: My personal opinion?

SSD: Yeah.

PR: Because it's not my field. I started off as a biologist, but I'm a long-time converted cop now. I think common sense would tell you that you can't drag across a coral reef or a coral reef-like structure that has an awful lot of growth on it and not do a lot of damage by a shrimp trawler. It is basically trying to scoop everything it can and put it in the net. In some areas, if they've got a hard, sandy bottom – probably not near as detrimental to the bottom. But you can see, when we do our boardings, and we dump the contents of the net that's on the deck of the trawler – especially when you get down into some areas like in the Keys – you see an awful lot of bycatch that just gets tossed overboard. And whether it's juvenile fish or sponges or soft corals or whatever, you do scratch saying, "Hmm, this looks like it might be doing some damage down there." So, in my opinion, yes, bottom trawling in the wrong areas can do significant damage. From a shrimper's aspect, he's trying to get his shrimp, right? If there's no law that says you can't do that, then you know –

SSD: It's interesting because some of the shrimpers have talked about this. In the Gulf of Mexico, there is some coral, but it's way, way offshore, and it's in much deeper water, but most of the bottom of the Gulf of Mexico is kind of muddy – you know, sandy. And the shrimpers say, really, there's nothing down there to hurt. Sally Murphy mentioned that, well, you know, there's this microbe system that's worms and plankton and little things that the shrimpers aren't thinking about, so there's that way to look at it. Then the shrimpers have also said, if there were coral, I would avoid it because it's going to tear up my nets, and that's an expense to me. And if I tear up my net, not only do I have to either patch or buy new nets, but I'm going to lose some of my catch when I tear it up. So that was interesting that –

PR: I think that is true. I think that there are areas where – you know, you got to look at the shrimp, first of all. Those are rock shrimp out there. It's called rock shrimp for a reason. It likes to burrow in rocky substrates. Well, if you have a lot of (ringtone) – can you hold a second?

SSD: Sure.

PR: [inaudible]. I'm doing an interview. I'll call you back. What were we talking about?

SSD: Rock shrimp, yes.

PR: Then there's a lot of growth on a rocky substance, so there is an area off the east coast of Florida here that the rock shrimpers cannot enter. It's called the Oculina Bank, and it's because there's a lot of Oculina coral, which is a pretty deep-water coral that grows on the rocky substrate – very slow-growing coral. They are not allowed in that area. But there is rock shrimp in there, so they push the limits and are – before we effectively enforced it, they were in there all the time – or certain vessels were in there all the time – not everybody, but it only takes a couple of bad apples to get in there to do a lot of damage in a hard-bottom Oculina coral area. In fact, I think some deep-water submersibles have film footage of it. And it just looks like two combines had gone through, and it's rubble. There's just nothing but rubble coral there. That's slow-growing stuff. So it really, I think, depends on where you're at. In the Florida Keys, there's a lot more hard bottom down there for some of the pink shrimp, and I think they do get into doing some damage there. But in these muddy areas or these sandy areas – probably not as much damage to the bottom. But I think then you're going to get some debate as to whether or not – you know, what kind of bycatch are you getting? Are there a lot of finfish in there that are juveniles that are – that's an important part of the ecosystem, so it's a debate that you're going to go back and forth because I don't know what the answer is. I mean, you've got farm-raised shrimp. And there are people that are going to tell you farm-raised shrimp is terrible for some estuary systems and everything else, so.

SSD: Well, isn't there a way to do it that it would have the least impact?

PR: It's up to the scientists to figure that out. I'm not sure there are. You have to weigh feeding people and which is the friendliest way to harvest whatever product. It's not easy.

SSD: Yeah. No. Well, it's truly a balancing act. It's always going to be tipping back and forth and very dynamic rather than static. That's the conclusion I draw after talking to a lot of people.

Here's a question that's arisen during our conversation – do you think that the United States tends to be more concerned than other countries about endangered species and conserving?

PR: Sure. Than most countries in the world? Sure. Yeah.

SSD: Why is that, you think?

PR: I think it has to do with education. I think it has to do with abilities, assets, and money. Has to do with good laws that can be enforced. I'm in enforcement, so I'm a big believer that it's a waste of time to write down regulations if you don't have the people to enforce it because you will have a section out there who, if it deals with profit, will pursue it. So some countries may have good intentions and write good regulations and good laws, but they just flat-out don't have the assets to enforce a regulation like the Endangered Species Act.

SSD: It's kind of a luxury, then?

PR: You can see that when you travel. A lot of it, I think, is organization too. You have to be organized. When you travel around, you see the lack of good structure and organization, and there's an awful lot of corruption out there too in foreign governments too. That's a sad, sad commentary.

SSD: Yes. I've been aware of that. I watched a film last week called *Call and Response* about human trafficking and how there's a lot of graft and police actually are being paid off not to enforce [inaudible].

PR: Sure. It's a mess. I've seen it down there many times.

SSD: Do you know of any alternatives to TEDs that would mitigate harm done to turtles by shrimping?

PR: I don't unless you had a totally compliant industry that would go with reduced tow times, which has proven to not work because it doesn't – because you don't have totally compliant people. If you can make more money by leaving the nets down for three hours, then you're going to drown turtles. But if you're in a perfect world, if they drag for 25 minutes, you may not. But it didn't work. First of all, you can't enforce that. Second of all, there's not full compliance. So I don't know. [inaudible] I haven't given it much thought.

SSD: Do you know anything about the dead zone in the Gulf of Mexico?

PR: I don't. I saw that question. I don't know that. I get a dead zone at my desk here sometimes. [laughter]

SSD: [laughter] I have a dead zone in my brain often. What other living marine resources found in the Atlantic do you work to protect?

PR: Well, everything. Coral. Almost virtually every fish out there is regulated now (inaudible) capacity.

SSD: Wow.

PR: Well, except for maybe all the inshore stuff. But the state regulates those – everything from a small blenny to gobies to. So just about every finfish in some capacity that has any kind of food value, anyway, is regulated.

SSD: Is it to protect them from being overfished and extinguished?

PR: Sure, for sustainability. It's basically, if you didn't have regulation – you know, at one time, we didn't have regulations on sharks, and sharks – because it was thought to be not much of an issue – and all of a sudden, sharks – not all of a sudden, but sharks are now in trouble because there's a huge Asian market for shark fins. So now, many of those are being considered for listing as endangered. We do marine mammals a lot in the South Atlantic here because right whales calve down off our waters in north Florida and southern Georgia. There are now regulations having to do with the speed of vessels over a certain size limit – very difficult to enforce.

SSD: I would think.

PR: Yes. The Lacey Act that we talked about, which has a lot to do with falsely labeling product or violating other countries' laws and bringing it in. Crustaceans – basically, even seagrasses. There's Johnson's seagrass that's now listed as an endangered [inaudible].

SSD: What are some of the crustaceans that are endangered?

PR: Not so much endangered. Everything doesn't have to be endangered to have a regulation on it. Most things are not endangered at all. They just have regulations for sustainability under the Magnuson Act, so spiny lobster –

SSD: Crabs?

PR: Yeah. Yeah, I've been trying to [inaudible] crab [inaudible] just my mind just went blank. [inaudible]. Golden crab. There's a deep-water crab called golden crab that we heavily regulate. That's probably most of the crustaceans.

SSD: Any shellfish? Are there oysters off Florida's coast?

PR: Most of the states handle oysters and clams because it's near shore. Remember, on the Atlantic side, the Magnuson Act generally deals with three miles offshore to 200 miles. But that's not true with any endangered species. That's anywhere. So as far as shellfish goes – oysters and clams – they are regulated by the states often because they're in, most primarily, state waters. But federally, we do that under the Lacey Act, again, because the Lacey Act also provides for, if you're in the state of Florida here, and you're harvesting, say, polluted clams and

polluted oysters from an area that should not be harvested from, and you happen to get beyond the local Florida officer, and you ship them to – where are you? Mississippi – you ship them to Mississippi. Well, now, Mississippi doesn't have any regulations having to do with polluted Florida oysters. But you're getting sick in Mississippi – people are getting sick. So the federal government has this Lacey Act that says not only does it have to do with international violations, it has to do with one state to another state. So if you violate Oregon's laws and you ship that product into New York, we can pursue that, whereas that Oregon officer can't go to New York and do anything. So we do shellfish cases that go in interstate commerce.

SSD: okay. Well, speaking of polluted oysters, do you have anything to do with enforcing what can and cannot be put into the sea waters and something that would be poisonous or toxic to fish or humans?

PR: Not typically. That's mostly the state or the Food and Drug Administration.

SSD: FDA? Yeah.

PR: Yeah. There are regulations out there having to do with – what am I trying to think of? – certain coral growths with the aquarium trade, where you can't harvest corals in the wild, but there are – believe it or not – coral offshore farms that people try to grow by putting out substrate themselves and having growth on it.

SSD: Yeah? Are they working?

PR: I don't know much about it. I think so. I don't think we have [many] problems with the compliance with it, as long as they don't harvest wild coral. Some of that catfish that I was telling you about was polluted because it's farm-raised, and the Vietnamese were using what was called malachite green, which is a carcinogenic substance that has got zero tolerance in the US, so that's another example of why you would want to know that it's labeled correctly because FDA is not going to be typically sampling wild-caught grouper from Vietnam, which is what they were calling it – right – because wild-caught grouper is not going to be thought to have any kind of chemicals in it. But if it was accurately labeled as Vietnamese pangasius that was farm-raised, it's a chemical that they put in the fish ponds to keep the growth and fungicides off of fish, I think, so that's – they wouldn't – if you test that, then it comes up with malachite green, then you got potentially health issues. And a lot of it did have malachite green in it.

SSD: After this conversation, I think I'm limited to tofu for the rest of my life. [laughter]

PR: No, no. Yeah. (inaudible) problem more with what you are ordering, because a lot of times, it's not what you think. It's just maybe a cheaper version of what you had.

SSD: Well, I'm looking at these questions, and some of them just aren't really germane at all. But I'm looking at number fifteen. Are there lessons learned from using TEDs? Is there anything you'd want to put on the record about that?

PR: Well, I don't use TEDs. Probably lessons learned from enforcing TEDs, you know – and I think we talked about a lot of those. When we do our training with the Coast Guard, we – and again, TEDs are pretty well under control, so we don't spend a lot of time. We're spread thin, and there's a lot of issues out there. And if we think that TEDs are pretty much under control until it flares up again and we start getting reports of a lot of dead turtles that are washing up on the beaches that are associated with the shrimping season, then (inaudible) compliance seems to be very well. But when we were in those years where TED enforcement was difficult, there were a lot of kind of tricks to the trade that we could then try to teach the state and the Coast Guard about – you know – tripwires and TEDs put in reversed or – these soft TEDs were just a real problem to try to figure out. You'd actually tell some folks, seize the net, bring it to the dock, open it up, and see if you can walk through it, because if it doesn't end up out of a hole – sometimes there wasn't a way of telling whether or not it was rigged correctly. That inside of a net is a big – and when it's just on the deck of a shrimp trawler – is a huge pile of mesh. You don't know if it's working correctly until it's deployed under the water or on land. And you can't do that on the back of a boat. So we would try to basically tell them, you know, look for tripwires and look for certain issues, and here's the strategy to do when you want to catch somebody who may be trying to trick you.

SSD: I wonder if there's been a kind of a culture change among the shrimpers, especially as the old guys start to drop out and the shrimpers who are doing shrimping actually have been pulling TEDs all of their career – because you talked about the shrimpers' culture, where they'd always learn don't put a hole in your net, you know –

PR: I think you said in your email you talked to John Mitchell. And I think he can probably tell you that. I absolutely think that's true. It was a stubbornness to change at the beginning. And it's just a flat-out stubbornness to change – and plus, there was probably some finetuning. These gear experts really finetuned those. And they had to basically prove to the shrimping industry, that – one – not only are you not losing catch, you may be actually benefiting from it, because it's getting rid of some garbage you didn't want, or it's a cleaner catch, and you don't have to spend so much time culling your catch on the deck with these bigger critters, so –

SSD: Unwanted items?

PR: Absolutely. Yes. And I do think that's true. It has been twenty years now, so it's something that is kind of an accepted device, like an anchor. You got to have it. There's no (inaudible) option, so I think it does – now, by the way, we have heard, in the Northeast now – primarily the Northeast – that TEDs are going to be required in a lot of other types of net fisheries, from finfish to scallops to – and so I would predict – there's only been a couple of phone calls so far – but I would predict that much of what we went through in the Southeast they're going to go through in the mid-Atlantic and the Northeast on entirely different types of net fisheries, trawl fisheries that are going to be very stubborn to change [inaudible].

SSD: Is that for the loggerheads?

PR: It's for turtles. I don't know if it's for loggerheads in particular. It really depends on the fishery, right? In some of the fisheries, they're going to have issues with leatherbacks, apparently. Have you interviewed any of the protected resources people yet?

SSD: Would those include conservationists?

PR: No. It would be the NOAA-protected resource people. They're the ones who identify the problems and then write the regulations, and so it'd be – I think you interviewed Chuck Oravetz, right?

SSD: Yeah. And see, most of them have retired now, so they're –

PR: (inaudible). Yes, he was the head of the protected resources folks in St. Petersburg. Well, now he's got a replacement over there, and those are the folks who are calling us to say, hey –

SSD: What do we do?

PR: No.

SSD: No?

PR: That there are going to be issues in the mid-Atlantic and the Northeast on other TED requirements for other vessels, so the sadistic part of me kind of [inaudible] you know, okay, your battles are coming – for our counterparts up there because they are. They're going to have some issues up there in the next couple years (inaudible) decades.

SSD: Yes. Well, you guys will be consultants.

PR: That's what we're doing, although we do handle part of the mid-Atlantic, so we'll be again. But we're telling them the same type of thing. We're saying make sure you write the regulations from the beginning that says rigged for fishing, so these folks can do a lot of their inspections at the dock instead of going offshore with the Coast Guard and having to –

SSD: Yeah, those at-sea boardings.

PR: Yes, that inconveniences everybody, including the fishermen.

SSD: Yeah, which makes them want to buck up a little bit more, maybe. Well, is there anything you'd like to put on the record that we have not talked about?

PR: I don't have anything else.

SSD: [laughter] Well, thank you so much for taking time to give us this interview. I will send you a CD if you'll give me an address. But before you give me an address, I want to go off the record, so it's not a part of the interview. Let me say thank you so much.

PR: You're welcome.

SSD: And I'm turning it off.

----------END OF INTERVIEW----------
Reviewed by Molly Graham 10/28/2021