

Atlantic States Marine Fisheries Commission

Law Enforcement Committee

April 30-May 1, 2019

Arlington, Virginia

Draft Agenda

The times listed are approximate and the order in which these items will be taken is subject to change.
Other items may be added as necessary.

NOTE: A portion of this meeting will be closed to the public to discuss ongoing enforcement activities. Only members of the Law Enforcement Committee, authorized law enforcement personnel and the LEC Coordinator can be in attendance.

Tuesday, April 30

1. Call to Order/Roll Call of the LEC Representatives 12:30 p.m.
2. Approval of Agenda and October 2018 minutes (ACTION) 12:35 p.m.
3. Public Comment 12:40 p.m.
4. Presentation on PAARI and discussion of NARCAN/NALOXONE 12:45 p.m.
5. Review of 2019 Action Plan items 1:30 p.m.
6. Review of potential Atlantic Cobia regulations in federal waters 1:45 p.m.
7. Discussion of drone use and other technologies in enforcement 2:30 p.m.
8. Break 3:00 p.m.
9. Review and discussion of ongoing enforcement activities
NOTE: This portion of the meeting will be closed to the public 3:15 p.m.
10. State Agency Reports 4:00 p.m.
11. Recess for the day 5:00 p.m.

Wednesday, May 1

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| 12. Reconvene/Social | 8:00 a.m. |
| 13. Review and Discussion of MAFMC Enforcement Workshop | 8:30 a.m. |
| 14. Review and Discussion of Offshore Enforcement Vessel Work Group | 8:45 a.m. |
| 15. Review and Discussion of ASMFC species issues as needed | 9:15 a.m. |
| 16. Presentation on Electronic Reporting in the South Atlantic and Gulf of Mexico | 9:30 a.m. |
| 17. (Group Photo) then Break | 10:00 a.m. |
| 18. Discussion of criteria/metrics for evaluating enforcement effectiveness | 10:30 a.m. |
| 19. Federal Agency Reports | 11:00 a.m. |
| 20. Adjourn | 11:45 a.m. |

Vision: Sustainably Managing Atlantic Coastal Fisheries

**Atlantic States Marine Fisheries Commission
Law Enforcement Committee
Draft Minutes
October 23-24, 2018**

**NOTE: These minutes are unofficial until reviewed and approved by the LEC at the
2019 Spring Meeting of the ASMFC in Arlington, VA**

Participants:

CHAIRMAN: Steve Anthony (NC DMF, Marine Patrol Section)
VICE CHAIR: Doug Messeck (DE DNREC, Enforcement Section)
Mike Eastman (NH Fish and Game Department)
Kurt Blanchard (RI DEM, Division of Law Enforcement)
Rene Cloutier (ME DMR, Maine Marine Patrol)
Larry Furlong (PA Fish & Boat Commission, Bureau of Law Enforcement)
Tom Gadomski (NY DEC, Division of Law Enforcement)
Greg Garner (SC DNR, Division of Law Enforcement)
Paul Chapelle (USFWS Office of Law Enforcement)
Rick Lauderman (VA MRC, Division of Law Enforcement)
Rob Kersey (MD DNR, Natural Resource Police)
Bob Lynn (GA DNR, Law Enforcement Section)
Katie Moore (USCG, Living Marine Resources)
Scott Pearce (FL FWCC Division of Law Enforcement)
Bob Hogan (NOAA General Counsel)
Keith Williams (CT DEEP, State Environmental Conservation Police)
Jeff Ray (NOAA OLE)
Jason Snellbaker (NJ Division of Fish and Wildlife, Bureau of Law Enforcement)

Staff:

Mark Robson, Committee Coordinator
Megan Ware; Max Appelman; Caitlin Starks

Other Participants:

Andy Loftus, MAFMC; Eric Reid, RI; David Borden RI; Pat Keliher, ME; Robert Brown, MD; Dan McKeirnan, MA; Bill Anderson, MD; Greg DeYoung, USCG; Luiz Perez, USCG; George Steel, NY; Sean Riley, NY; Peter Burns, NOAA;

1. Call to Order/Roll Call of the LEC Representatives

Chairman Steve Anthony called the meeting to order, welcomed members and guests. Mark Robson called the role of LEC members. The LEC welcomed alternate representatives Paul Chapelle from the USFWS and Jeff Ray from NOAA OLE.

2. Approval of Agenda and May 2018 minutes

The minutes were approved as prepared.

3. Public Comment

There was no public comment.

4. Review and Discuss Federal Transit Zone for striped bass in Block Island

Max Appelman gave the LEC an update on possible allowance of recreational fishing for striped bass in the existing transit zone in federal waters of Block Island Sound. The LEC provided initial thoughts on the current transit zone boundaries and whether such an opening might be a precursor to opening broader areas of the EEZ to recreational fishing for striped bass. ASMFC staff will continue to update the LEC on possible changes to federal regulations associated with the transit zone.

5. Review and Discuss Transit Zones in Block Island Area for summer flounder/scup/black sea bass

Caitlin Starks presented background on the proposed development of a transit zone through federal waters between Block Island and the mainland of Rhode Island. After reviewing maps and two options for such a transit zone, the LEC had no specific concerns with a narrowly defined zone. However, it was agreed that the enforceability of any transit zone is dependent on associated conditions or criteria for stowage of gear and direct transit. Standardizing these criteria among transit zones in general is important in both state and federal regulations. To the extent that transit zones are considered for other species, having the same or similar area boundaries would be helpful.

6. MAFMC Enforcement For-Hire Workshop

Andy Loftus of MAFMC gave a brief presentation on a planned workshop to review enforcement in the for-hire fisheries. Input from the LEC will be provided by member participation at the workshop now scheduled for November 13-14. After discussing some of the questions to be addressed during the workshop, the LEC agreed to provide more detailed information from their respective jurisdictions that could be used by the workshop participants in considering responsibilities of for-hire captains for the actions of passengers. LEC vice chairman Doug Messeck will be participating in the workshop. Kurt Blanchard has participated in workshop planning.

7. Break

8. Closed Session

The LEC discussed ongoing enforcement activities.

9. Discussion of Enforcement issues with dual landings/landings flexibility

The LEC reviewed some of the recent trends of states considering landings flexibility for commercial vessels landing catch from other state waters. While members concurred that such provisions present numerous enforcement challenges, it was recognized that states may continue to develop more flexibility provisions. The LEC exchanged information on specific permitting provisions that could be used to minimize abuse of such privileges. It was agreed

that the ability to revoke a fisherman's permit subsequent to violations of landings regulations would go a long way to ensure better compliance. Nonetheless, members agreed that real-world examples of abuse are out there, and landings flexibility will need to be carefully implemented to minimize illegal activity.

10. Review of 2018 Action Plan results and new 2019 tasks

Mark Robson reviewed several tasks relevant to the LEC work and briefed members on upcoming proposed changes to the 2019 Action Plan and the ASMFC Strategic Planning process.

11. Recess

The LEC recessed for the afternoon and will reconvene the following morning at the same location.

12/13. Social/Reconvene and consider changes or adjustments to Agenda

The LEC reconvened with a brief social starting at 8:30 a.m. There were no significant changes or additions to the agenda for the morning.

14. Discussion of enforcement issues with Sale of Undersized Product from other states

Meeting participants from Maryland reviewed concerns with the inability to market legally-caught striped bass from Maryland in other states where those states' regulations would deem the fish undersized. LEC members concurred that this is not a significant enforcement issue if fish are properly tagged and documented through shipment records.

15. Discussion of offshore enforcement for American Lobster

The LEC reviewed ongoing efforts to improve enforcement capabilities for the offshore lobster fishery. Members of ASMFC reported on possible funding for a meeting of a subcommittee that would attempt to develop detailed strategies for improving offshore enforcement. Pending approval of such a subcommittee, the LEC agreed that member participation, including from state and federal agencies, would be valuable. The LEC also reviewed current efforts to evaluate tracking systems that could be used to better monitor movement and fishing activities in the lobster fishery, especially offshore where traditional on-the-water enforcement is a challenge.

16. Review and Discuss ASMFC managed species as needed

There were no issues for further discussion.

17. Break

18. Federal and State Agency Reports

The Chairman asked representatives to restrict reports to new or non-routine information. Jeff Ray reported that NOAA is hiring more special agents, including 3 new positions in the NE and 4 in the SE. One new enforcement technician is being hired to help process cases. An analyst position is being filled to help look at enforcement reporting to assist in targeting needs and evaluating compliance rates.

Honnie Gordon from USFWS is retiring and her permanent replacement on the LEC will be Ryan Noel. The USFWS will soon be opening new wildlife inspection ports in Philadelphia, Norfolk, Fort Lauderdale and Savannah.

19. Other Business or Emerging Issues for future meetings

There was no other business brought before the LEC.

20. Adjourn

The October 2018 meeting of the LEC was adjourned at 11:30 a.m. The next meeting of the LEC will be during the ASMFC Spring meeting in Arlington, VA. That meeting is tentatively scheduled for April 30, 2019.

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