

Atlantic States Marine Fisheries Commission

Law Enforcement Committee

May 1, 2012
10:00a.m. - 5:00p.m.
Alexandria, Virginia

Draft Agenda (Revised April 20, 2012)

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

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| 1. Welcome/Call to Order (<i>K. Overturf</i>) | 10:00a.m. |
| 2. Roll Call of the States (<i>M. Robson</i>) | 10:05a.m. |
| 3. Committee Consent | 10:10 a.m. |
| • Approval of Agenda | |
| • Approval of Proceedings from November 2011 | |
| 4. Public Comment | 10:20a.m. |
| 5. Data relating to seized illegal harvest (<i>T. Kerns</i>) | 10:30a.m. |
| 6. Mechanism to provide input to NOAA Fisheries OLE | 11:00 a.m. |
| • Key issues of state/federal coordination | |
| • LEC input process to OLE | |
| 7. Recess for Lunch | 11:45a.m. |
| 8. Species Issues | 1:00p.m. |
| • Update on striped bass tagging issue and draft Addendum III | |
| • Update on status of tautog management (<i>C. Vonderweidt</i>) | |
| • Other species issues reported by LEC members | |
| 9. Discussion of LEC web page | 1:30 p.m. |
| 10. State Issues (Each State presents), Focusing on Success Stories | 2:00p.m. |
| 11. Discussion of ASMFC priorities and opportunities for enhancing LEC coordination with ASMFC Chair (<i>P. Diodati</i>) | 2:45 p.m. |

The meeting will be held at the Crowne Plaza Old Town Alexandria, Alexandria, Virginia; (703) 683-6000

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| 12. Break | 3:30p.m. |
| 13. Discussion of LEC Priorities and Action Planning | 3:45p.m. |
| 14. Federal Reports | 4:30 p.m. |
| • NOAA Fisheries | |
| • U.S. Fish and Wildlife Service | |
| • United States Coast Guard | |
| 15. Other Business/Adjourn | 4:50p.m. |

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Working towards healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015

ASMFC 2012 Action Plan Law Enforcement Tasks

GOAL 3 IMPROVE STAKEHOLDER COMPLIANCE WITH COMMISSION FISHERY MANAGEMENT PLANS.

This goal recognizes that fisheries managers, law enforcement personnel, and stakeholders have a shared responsibility to promote compliance with fisheries management measures. Stakeholder support and compliance is vital to successful management plans. Activities under this goal seek to increase and improve the extent to which states coordinate their law enforcement efforts with each other and with federal agencies. Commission members recognize that adequate and consistent enforcement of fisheries rules must keep pace with increasingly complex management activity, including thorough reviews of proposed management measures for enforceability. Achieving this goal will improve the effectiveness of the Commission's fishery management plans.

Strategies to Achieve Goal

3.1 Develop practical compliance requirements recognizing fiscal limitations.

Task 3.1.1 – Identify compliance requirements that the states are unable to implement due to fiscal limitations in the annual FMP Reviews.

Task 3.1.2 – Review effectiveness of the “Guidelines for Resource Managers” to evaluate its ability to inform fishery managers and affect their decisions in the regulatory process. Work with new LEC Coordinator to ensure the input of the Law Enforcement Committee is received early in the management process.

Task 3.1.3 – Evaluate enforceability of management options proposed in FMPs, amendments, addenda and conservation equivalency proposals.

3.2 Evaluate effectiveness of enforcement and compliance measures of fisheries management programs.

Task 3.2.1 – Report on the enforceability of existing FMPs as part of the annual compliance review for each species.

Task 3.2.2 – Engage and support new NMFS Office of Law Enforcement Chief to improve communication and coordination between states and federal enforcement agencies.

Task 3.2.3 – Report on enforcement issues associated with differing federal, interstate, and state regulations.

Task 3.2.4 – Review draft addendum to ensure cancer crab fishery does not impact enforceability of lobster regulations.

Task 3.2.5 – Evaluate and report on states ability to effectively close (communicate and enforce) recreational fisheries in-season through emergency or other actions.

3.3 Enhance communication of enforcement and compliance issues to Atlantic state agencies and other law enforcement programs.

Task 3.3.1 – Provide a forum to promote interjurisdictional enforcement operations targeting specific fishery resources (e.g. Atlantic striped bass, tautog).

Task 3.3.2 – Expand efforts to reach out to the law enforcement advisory committees of the regional fishery management councils and interstate commissions to seek opportunities for collaboration and ensure consistent law enforcement strategies.

Task 3.3.3 – Continue to evaluate the states' use of vessel monitoring system (VMS) data with increased access provided to the states. Determine if current level of access is adequate for state use of VMS data. Provide training opportunities, if necessary and resources permit, for state officers to ensure timely and efficient access to VMS data.

Task 3.3.4 – Provide ASMFC representative to serve on the Association of Fish and Wildlife Agencies’ Law Enforcement Committee. Monitor the Conservation Law Enforcement Chiefs Association and exchange information as appropriate.

Task 3.3.5 – Exchange information on record keeping of violations, dispatching, and use of real time data to enhance conservation enforcement efforts.

Task 3.3.6 – Exchange information and best practices related to the enforcement of protected and endangered species regulations (See Task 1.9.3).

Task 3.3.7 – Continue to monitor compliance with newly implemented state and federal recreational registry requirements.

Task 3.3.8 – Develop strategies to improve communications among state and federal enforcement agencies prior to regional enforcement activities.

Task 3.3.9 – Review 2012 law enforcement efforts, results, and interagency cooperation regarding the illegal harvest of striped bass in state and federal waters. Use results of review for planning 2013 priorities and strategies.

Task 3.3.10 – Engage in annual review of NMFS enforcement priorities to ensure state enforcement needs are included. Review and provide feedback to NMFS on the new federal penalty structure.

3.4 Promote and expand existing partnerships with state and federal natural resource law enforcement agencies.

Task 3.4.1 – Provide forum for enforcement agencies to display successful development and use of enforcement technologies.

Task 3.4.2 – Conduct semi-annual presentations, by state and federal agencies, of enforcement actions and facilitate discussions on joint efforts that can assist in fisheries enforcement.

Task 3.4.3 – Share enforcement techniques and law enforcement success stories and provide regional training sessions (if resources allow) to enhance law enforcement efficiency along the Atlantic coast.

Task 3.4.4 – Evaluate the merits of establishing more timely communication among state and federal law enforcement entities to facilitate more frequent information exchange.

3.5 Develop and implement fishery management measures that include compliance incentives and foster stakeholder buy-in.

Task 3.5.1 – Identify and explore fishery management measures that maximize stakeholder buy-in.

**Interstate Fisheries Management Program Charter
Provides
Responsibilities and Guidance for a Law Enforcement Committee**

(Text from Page 11 of the Charter, 2009)

(k) Law Enforcement Committee. The Law Enforcement Committee (LEC) is a standing Commission committee established by the Commission. LEC carries out assignments at the specific request of the Commission, the ISFMP Policy Board, the management boards/sections, the PDTs, and the PRTs. In general, the Committee provides information on law enforcement issues, brings resolutions addressing enforcement concerns before the Commission, coordinates enforcement efforts among states, exchanges data, identifies potential enforcement problems, and monitors enforcement of measures incorporated into the various interstate fishery management plans. LEC is comprised of law enforcement representatives from each member state, the U. S. Fish and Wildlife Service, the National Marine Fisheries Service, and the U. S. Coast Guard. LEC convenes a working meeting in the spring, meets in conjunction with the Commission's Annual Meeting, and convenes other meetings as needed. Among its ISFMP duties, the LEC shall:

- (1) Provide advice to PDTs regarding the enforceability of measures contemplated for inclusion in FMPs, including enforcement information needed for the Source Document and Background Summary pursuant to Section Six (b)(1)(v)(E); analysis of the enforceability of the proposed measures; and if the FMP provides for conservation equivalency, enforcement procedures for alternative management measures;
- (2) Provide advice to each PRT at least annually or as provided in a given FMP regarding the adequacy and effectiveness of states' enforcement of the measures implemented pursuant to the FMP;
- (3) Coordinate, among law enforcement personnel, the preparation of reports concerning state law enforcement and compliance in order to ensure these analyses are comparable; and,
- (4) Upon request or on its own initiative, provide enforcement advice and information regarding any FMP to any committee, team, board/section, or advisory panel in order to carry out activities under this Section.