



Atlantic States Marine Fisheries Commission

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MEMORANDUM

February 2, 2015

To: Summer Flounder, Scup, and Black Sea Bass Management Board
From: Law Enforcement Committee
RE: LEC Summary Review of Draft Addendum XXVI

The Commission's Summer Flounder, Scup, and Black Sea Bass Law Enforcement Committee (LEC) met via conference call to review the draft Addendum XXVI on Monday January 26th 2015. Sixteen members of the LEC participated, along with ASMFC staff. LEC members had previously been provided a summary of the proposed management options. Following are the main points and recommendations of the LEC.

- The LEC appreciates efforts to further standardize size limits among regions and adjoining states. The regional approach taken in 2014 was generally enforceable.
- Greater regionalization generally would aid enforceability, and would help minimize angler confusion and unintentional violations.
- Where a size limit difference occurred between NJ and DE for a common inland body of water, enforcement officers did not encounter significant enforcement issues. Nonetheless, having the same size limit would aid enforceability.
- Option 3 (splitting New Jersey into two regions) presents enforcement challenges and would create confusion. How and where the dividing line is created would determine the type and level of enforceability concerns.
- State lines used to define regions are more clear and enforceable. Other dividing lines based on geographic features are considerably more difficult, for both officers and anglers. We do not recommend splitting states or water bodies without using established state boundaries.
- Depending on where lines are drawn it may be possible for anglers to catch legal fish in one area, then cross a line where their catch is illegal. Under strict liability standards, wherever an angler is stopped or checked, the regulations in effect at that spot would apply.
- Option 4 would present the same concerns, again depending on where dividing lines are drawn. The potential exists for enforcement problems and angler concerns in the Cape May area.

- Option 5 (creating Delaware Bay as a specific region) would potentially create enforceability problems on both sides of the bay (New Jersey and Delaware). Without benefit of knowing how the boundaries would be drawn, it is difficult to assess specific enforcement concerns, but they could be significant in both the Cape Henlopen, DE and Cape May, NJ areas.
- For any adaptive regional management regime ultimately selected, the LEC recommends implementation at least through 2016.

If you have any questions, please contact Kirby Rootes-Murdy, FMP Coordinator by phone: 703-842-0723 or by email to krootes-murdy@asmfc.org