

Atlantic States Marine Fisheries Commission

Law Enforcement Committee

*October 29-30, 2019
New Castle, New Hampshire*

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, October 29

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| 1. Call to Order/Roll Call of the LEC Representatives | 1:30 p.m. |
| 2. Approve Agenda and May 2019 Minutes | 1:40 p.m. |
| 3. Public Comment | 1:50 p.m. |
| 4. Appoint Nominations Subcommittee for LEC officers | 2:00 p.m. |
| 5. Review LEC Input on Circle Hook Regulations and Enforcement | 2:05 p.m. |
| 6. Review LEC Input on Atlantic Striped Bass Addendum VI | 2:30 p.m. |
| 7. Review and Discuss ASMFC Species (as needed) | 2:50 p.m. |
| 8. Break | 3:15 p.m. |
| 9. Review and Discuss Ongoing Enforcement Activities--- NOTE:
This portion of the meeting will be closed to the public | 3:30 p.m. |
| 10. State Agency Reports | 4:00 p.m. |
| 11. Recess for the day | 4:45 p.m. |

The meeting will be held at Wentworth by the Sea, 588 Wentworth Road, New Castle, NH; 603.422.7322

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

Wednesday, October 30

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| 12. Reconvene/Social | 8:00 a.m. |
| 13. Federal Agency Reports | 8:30 a.m. |
| 14. Review Offshore Enforcement Issues for American Lobster (tentative) | 9:15 a.m. |
| 15. Review and Discuss State Compliance Reporting Process (tentative) | 9:30 a.m. |
| 16. Break | 10:00 a.m. |
| 17. Review and Discuss ASMFC species issues as needed | 10:15 a.m. |
| 18. Follow-up Discussion on Tautog Commercial Tagging Implementation | 10:45 a.m. |
| 19. Election of Officers | 11:15 a.m. |
| 20. Adjourn | 11:30 a.m. |

**Atlantic States Marine Fisheries Commission
Law Enforcement Committee
Draft Minutes
April 30-May 1, 2019**

**NOTE: These minutes are unofficial until approved by the LEC at the
2019 Annual Meeting of the ASMFC in New Hampshire**

Participants:

CHAIR: Steve Anthony (NC DMF, Marine Patrol Section)
VICE CHAIR: Doug Messeck (DE DNREC, Enforcement Section)
Kurt Blanchard (RI DEM, Division of Law Enforcement)
Kathy Cyr (US Coast Guard, Northeast District)
Mike Eastman (NH Fish and Game Department)
Don Frei (NOAA, Office of Law Enforcement)
Larry Furlong (PA Fish & Boat Commission, Bureau of Law Enforcement)
Tom Gadomski (NY DEC, Division of Law Enforcement)
Wayne Hettenbach (US Dep. Of Justice)
Rob Kersey (MD DNR, Natural Resource Police)
Rick Lauderman (VA MRC, Division of Law Enforcement)
Bob Lynn (GA DNR, Law Enforcement Section)
Katie Moore (USCG, Living Marine Resources)
Pat Moran (MA Environmental Police)
Jason Snellbaker (NJ Division of Fish and Wildlife, Bureau of Law Enforcement)
David Sykes (USFWS Office of Law Enforcement)
Keith Williams (CT DEEP, State Environmental Conservation Police)

Staff:

Mark Robson, Committee Coordinator
Toni Kerns, ISFMP Director
Mike Schmidtke, Fishery Management Plan Coordinator

Other Participants:

David Borden RI; Pat Keliher, ME; Dan McKeirnan, MA; Cheri Patterson, NH; Mel Bell, SC; Chip Lynch, NOAA; Allie Hunter, PAARI; George LaPointe, NOAA SE Region Office

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

Chairman Steve Anthony called the meeting to order at 12:30 p.m. on April 30th, 2019. Mark Robson called the role of LEC members. The LEC welcomed alternate representatives LTC Kathy Cyr, fisheries officer from the Northeast District; and Don Frei, Compliance Liaison Officer with NOAA OLE. Mark Robson reported that Jay Carroll from Maine, Scott Pearce from Florida, and Bob Hogan from NOAA General Counsel are unable to attend the meeting.

2. Approval of Agenda and October 2018 minutes

The minutes were approved as prepared.

3. Public Comment

There was no public comment.

4. Presentation on PAARI and discussion of NARCAN/NALOXONE

The LEC heard a presentation by Allie Hunter, Executive Director of the Police Assisted Addiction and Recovery Initiative (PAARI). PAARI is a resource available to enforcement agencies for response and treatment of drug overdose situations encountered in the field. A number of states are already training and equipping officers with overdose kits, and PAARI's program also provided guidance and advice on outreach and follow-up that enforcement agencies can implement to help counter the opioid problem.

5. Review of 2019 Action Plan Items

Mark Robson reviewed the recent changes to the format and presentation of the ASMFC strategic plan and its action items for 2019. LEC members were reminded of our ongoing work to address standing action items.

6. Review of potential Atlantic Cobia regulations in federal waters

Mike Schmidtke briefed the LEC on potential new regulations for Atlantic cobia, focusing on 3 options for managing the fishery in federal waters. The LEC cited concerns with all 3 options. Option A, where regulations would mirror the state where fish are landed, would be strengthened by specifying the state where the fisherman is permitted. Furthermore, a regulation should specify that the most restrictive permit would apply for multiple-permit holders. Option B, where state-waters regulations would be extended into federal waters, was deemed difficult to enforce due to those extended lines, and members suggested instead that the simplest approach would be to have a single set of consistent federal regulations coastwide, or to simply extend state regulations into adjacent federal waters in the absence of federal regulations. Option C was deemed to have an added layer of complexity for dealing with specified restricted harvest areas and was not favored.

7. Discussion of drone use and other technologies in enforcement

The LEC discussed current uses of drones in enforcement. A number of states have acquired drones and have trained officer-pilots. While most uses are still restricted to general surveillance, search and rescue operations and site security, members discussed the growing use of drones, their expanding versatility and possible use in documenting resource violations.

8. Break

9. Closed Session

The LEC discussed ongoing enforcement activities. This portion of the meeting is closed to the public.

10. State Agency Reports

LEC members from the states reported on staffing, training and equipment matters for their respective jurisdictions.

11. Recess

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

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

The LEC reconvened with a brief social starting at 8:00 a.m on May 1, 2019. There were no significant changes or additions to the agenda for the morning.

13. Review and discussion of MAFMC Enforcement Workshop

Members reviewed the outcome of the November 2018 workshop on For-Hire Enforcement. The workshop was attended by LEC member Doug Messeck. Members reiterated that for-hire captains should be held accountable for activities on their vessels, including illegal landings and activities of their customers. Sharing of catch, allowing captain and crew bag limits, and co-mingling of fish on board are all recognized as ongoing activities that vary among the states, but that need to be handled carefully to minimize chronic violations.

14. Review and Discussion of Offshore Enforcement Vessel Work Group

The LEC reviewed ongoing efforts to improve enforcement capabilities for the offshore lobster fishery. Members of ASMFC updated the LEC on possible purchase and operation of an offshore vessel, likely to be centered in Maine, but available for use by other states. LEC members expressed support for acquisition and agreed that a second vessel available for more southerly waters would be invaluable in dealing with derelict gear and other trap fisheries in offshore areas. Issues of concern included the need to implement a tracking system to enable effective targeting of offshore areas with a new vessel or vessels. Other suggestions of LEC members included the need to have new or separate funding not only for the purchase of vessels but for their continued operation and maintenance, that crewing vessels would require close cooperation with other participating states, and that one or more federal officers would need to be onboard depending on the areas covered. Staff also solicited LEC advice on vessel and gear tracking systems that would aid in offshore enforcement. LEC members commented on the need for ready access to the tracking information, and to have a system that would reveal when fishing vessels are hauling gear. Systems are currently being tested in Maine, Rhode Island and Connecticut. ASMFC staff will continue to include LEC input to working group discussions regarding offshore enforcement needs in the offshore lobster fishery.

15. Review and discussion of ASMFC species issues as needed

There were no issues for further discussion.

16. Presentation on electronic reporting in the South Atlantic and Gulf of Mexico; state coordination and law enforcement issues

George LaPointe, representing the Southeast Regional Office of NMFS, gave a presentation to the LEC regarding implementation of electronic reporting systems in the for-hire fishery. A primary question regards access to the data by officers in the field, and the timeliness of that access. LEC members will take an in-depth look at the systems and provide more detailed suggestions or advice to NMFS.

17. Group Photo and Break



18. Discussion of criteria/metrics for evaluating enforcement effectiveness

LEC members initiated some general discussion about ways to measure effectiveness of enforcement activities. The discussion centered on developing methodologies for analyzing available data to better target field enforcement work in the face of lower staffing levels, and on the use of uniform standards for determining staffing and equipment requirements relative to metrics such as fishing activity, population, and coverage areas.

19. Federal Agency Reports

Federal agency representatives reported on staffing, training and equipment issues for their respective jurisdictions.

20. Adjourn

There being no other business, Chairman Steve Anthony adjourned the meeting at 11:30am. The next scheduled meeting of the LEC will be during the Annual Meeting of the ASMFC in New Hampshire.