



Atlantic States Marine Fisheries Commission

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Law Enforcement Committee Meeting Summary

April 30-May 1, 2019

Committee Members: Steve Anthony, Chair, NC; Doug Messeck, Vice Chair, DE; Mike Eastman, NH; Keith Williams, CT; Tom Gadowski, NY; Bob Lynn, GA; Pat Moran, MA; Jason Snellbaker, NJ; Larry Furlong, PA; Kurt Blanchard, RI; Rob Kersey, MD; Rick Lauderman, VA; Don Frei, NOAA OLE; Katie Moore, USCG; Kathy Cyr, USCG; David Sykes, USFWS; Wayne Hettenbach, USDOJ

ASMFC Staff: Mark Robson; Toni Kerns; Mike Schmidtke

Other Participants: David Borden RI; Pat Keliher, ME; Dan McKiernan, MA; Cheri Patterson, NH; Mel Bell, SC; Chip Lynch, NMFS; Allie Hunter, PAARI; George LaPointe, NOAA SE Region office

The Law Enforcement Committee (LEC) met during the 2019 spring meeting of the Atlantic States Marine Fisheries Commission (ASMFC) in Arlington, VA. The LEC welcomed alternate representatives David Sykes from the USFWS and Don Frei from NOAA OLE.

Species Issues

Atlantic Cobia.—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.

American Lobster.—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.

Enforcement Tools and Technology

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.

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.

Other Issues

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.

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.

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.