



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfc.org

Law Enforcement Committee Meeting Summary

May 1, 2018

Committee Members: Steve Anthony, Chair, NC; Doug Messeck, Vice Chair, DE; Mike Eastman, NH; Patrick Moran, MA; Greg Garner, SC; Kyle Overturf, CT; Bob Lynn, GA; Scott Pearce, FL; Rene Cloutier, ME; Jason Snellbaker, NJ; Larry Furlong, PA; Kurt Blanchard, RI; Scott Simmons, MD; Rick Lauderman, VA; Jeff Ray, NOAA OLE; Katie Moore, USCG; Honnie Gordon, USFWS; Wayne Hettenbach, USDOJ

ASMFC Staff: Mark Robson; Megan Ware; Kirby Rootes-Murdy

Other Participants: Pat Keliher ME; David Borden RI; Dennis Abbott NH; Erin Summers ME; Peter Burns, NOAA

The Law Enforcement Committee (LEC) met during the 2018 spring meeting of the Atlantic States Marine Fisheries Commission (ASMFC) in Arlington, VA. The LEC welcomed alternate representatives Scott Simmons from Maryland and Jeff Ray from NOAA OLE. Scott Pearce was attending his first meeting as the representative from Florida, and the LEC welcomed back Rick Lauderman who will be representing Virginia.

Request to ISFMP Policy Board

The LEC discussed the strong possibility that the 2019 NOAA budget may include a significant or complete cut in funding for the Cooperative Enforcement Program. This program provides invaluable funding for enforcement resources to the states in aid of federal waters enforcement and has been in place for 18 years. The number of NOAA officers and agents is very small relative to the number of coastal state officers and the program has allowed state agencies to purchase and operate vessels and equipment essential to marine fisheries enforcement work. The uncertainty and inconsistency of funding will severely hinder state enforcement operations going forward. The LEC requests that the Policy Board consider an appropriate response to this issue in support of continued funding for the Cooperative Enforcement Program as a line item in the federal budget.

Species Issues

American lobster.— Erin Summers from Maine’s Department of Marine Resources presented information to the LEC regarding developing interest and technologies for “ropeless” fishing gear that could be used to deploy and retrieve traps or other submerged gear without the need for buoy or vertical lines. Several different systems were reviewed, all involving technology that is either not available now, or is under limited development. The primary purpose of such gear would be to reduce large whale entanglements. After hearing the presentation and reviewing several videos demonstrating the gear, members of the LEC expressed the consensus view that

in its present form such systems would remove the ability to enforce trap limits and would render law enforcement efforts to conserve the American lobster fishery moot. Application in other fisheries would likely have similar impacts. Among the concerns were the cost and time for enforcement agencies to re-fit for such systems, the extreme difficulty or even the impossibility of checking, hauling and re-setting traps or gear for enforcement purposes, the inability to access standardized, confidential signals or codes needed to locate and identify gear on the bottom, and the likely multiplicity of systems that would be developed among fisheries and/or jurisdictions. The LEC affirms that law enforcement agencies should always be receptive to possible new technologies in marine fisheries, but this concept in its present form is unworkable.

Winter Flounder.—Megan Ware and Kurt Blanchard briefed the LEC on a Rhode Island proposal to develop an aggregate weekly limit for state waters that would be more in line with harvest allowances in adjacent federal waters. Options being considered include a 250lb aggregate limit year-round; a 350lb aggregate weekly limit during 2 seasonal periods; and an aggregate limit with the additional requirement for a special permit and possible vessel monitoring system. It was noted that RI has a weekly aggregate for the summer flounder fishery and this is enforceable, aided by a requirement for participants to have a background check. While the LEC has typically expressed reservations about weekly aggregate limits as they are difficult to enforce at the dock, the possibility of background checks, special permits, and especially the requirement for VMS, would mitigate enforcement concerns. The LEC therefore supported the 3rd option for a permit and vessel monitoring requirement, with the addition of background checks of participants as safeguards for the fishery.

Coastal Sharks.—Kirby Rootes-Murdy presented information regarding NOAA emergency rule for protection of shortfin Mako sharks, and possible ASMFC interest in developing complementary regulations for state waters. The LEC provided input on the difficulties of inconsistency in regulations between state and federal waters and supports whatever processes can be implemented to ensure complementary regulations.

Other Issues

The LEC reviewed proposed **2018 Action Plan** items and confirmed that its work will address the tasks outlined in Goal 3 of the plan once it is approved by the ASMFC.

Commissioner Dennis Abbott updated the LEC on the memorial to honor **Chris Schoppmeyer** for his years of dedication to the Town of Newmarket, NH, and for his distinguished career in conservation enforcement.

Col. Kyle Overturf is retiring and announced that this would be his last meeting with the LEC. All expressed their gratitude for his service, and his contributions to the work of the LEC will be missed.

Members of the LEC discussed the graduation of the fifth class of the **National Leadership Academy** for conservation law enforcement officers, and the values of this program. Honnie

Gordon of USFWS briefed the LEC on the latest international academies for African and Asian conservation enforcement leaders that follows a similar model. All agreed this is an outstanding program of mentoring and leadership development that will pay dividends long into the future.