

Atlantic States Marine Fisheries Commission
Atlantic Herring Law Enforcement Committee
April 9, 2010

Call Summary

Present: Chris Vonderweidt (ASMFC), Mike Howard (ASMFC), Jeff Marston (NH, Chair), John Tulick (MA), and Joe Fesseden (ME).

Observers: David Ellenton (AP Chair)

The Atlantic Herring Law Enforcement Committee (LEC) convened via phone conference to review Draft Addendum II & III to Amendment 2 to the Interstate Fisheries Management Plan for Atlantic Sea Herring for Public Comment and discuss enforcement issues associated with the options contained in each addendum. Enforcement issues were highlighted as follows:

Addendum II:

There are no law enforcement issues associated with the proposed options in Draft Addendum II for public comment.

Addendum III.

The LEC agrees that the proposed measures are enforceable, but stressed that the most enforceable regulations are simple and easy to understand. The proposed exemptions and restrictions are complicated and will be another set of regulations that officers and fishermen have to memorize. Regulations in the Northeast Atlantic have been criticized as being overly complicated and the exemptions in Draft Addendum III will increase their complexity.

ISSUE 1: The LEC agrees that different possession limits for different vessels is enforceable. The Massachusetts representative commented that his state does not have any small boats.

ISSUE 2:

The LEC agrees that allowing SMBT's more and alternative days of the week is enforceable but complicated.

ISSUE 3:

Seasonal exemptions are enforceable as long as law enforcement officials are fully informed of the gear types and season dates. The LEC requests that staff provide a summary table of regulations if seasonal exemptions are included with Amendment III.

ISSUE 4:

Area restrictions are enforceable but are easier to enforce when vessels are required to carry VMS. Federal category D permit holders are not required to have VMS.

ISSUE 5:

A SMBT TAC allocation is enforceable. The LEC would recommend a 2,000 pound bycatch allowance once the TAC has been harvested to stay consistent with the bycatch allowance for spawning closures and when the overall TAC has been harvested.

OTHER BUSINESS:

The LEC noted that spawning closures have been much easier to enforce since the 20% tolerance measure was replaced by no-fishing 'zero tolerance'.

They also commented that fishermen will leave port and fish in dangerous weather. Due to bad weather or breakdowns, fishermen have contacted law enforcement for permission to land and off load on days that are not approved landing days.

Finally, the LEC commented that closed fishing days would be more effective than regulating landings as 'days out' currently does.