



# Atlantic States Marine Fisheries Commission

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## Law Enforcement Committee Meeting Summary

October 23-24, 2018

**Committee Members:** Steve Anthony, Chair, NC; Doug Messeck, Vice Chair, DE; Mike Eastman, NH; Greg Garner, SC; Keith Williams, CT; Tom Gadowski, NY; Bob Lynn, GA; Scott Pearce, FL; Rene Cloutier, ME; Jason Snellbaker, NJ; Larry Furlong, PA; Kurt Blanchard, RI; Rob Kersey, MD; Rick Lauderman, VA; Jeff Ray, NOAA OLE; Katie Moore, USCG; Paul Chapelle, USFWS; Bob Hogan, NOAA OLE

**ASMFC Staff:** Mark Robson; Megan Ware; Max Appelman; Caitlin Starks

**Other Participants:** Andy Loftus, MAFMC; Eric Reid, RI; David Borden RI; Pat Keliher, ME; Robert Brown, MD; Dan McKeirnan, MA; Bill Anderson, MD; Greg DeYoung, USCG; Luiz Perez, USCG; George Steel, NY; Sean Riley, NY; Peter Burns, NOAA;

The Law Enforcement Committee (LEC) met during the 2018 annual meeting of the Atlantic States Marine Fisheries Commission (ASMFC) in New York, NY. The LEC welcomed alternate representatives Paul Chapelle from the USFWS and Jeff Ray from NOAA OLE.

### Species Issues

**Summer Flounder/Scup/Black Sea Bass.**—Caitlin Starks presented background on the proposed development of a transit zone through federal waters between Block Island and the mainland of Rhode Island. After reviewing maps and two options for such a transit zone, the LEC had no specific concerns with a narrowly defined zone. However, it was agreed that the enforceability of any transit zone is dependent on associated conditions or criteria for stowage of gear and direct transit. Standardizing these criteria among transit zones in general is important in both state and federal regulations. To the extent that transit zones are considered for other species, having the same or similar area boundaries would be helpful.

**Striped Bass.**—Max Appelman gave the LEC an update on possible allowance of recreational fishing for striped bass in the existing transit zone in federal waters of Block Island Sound. The LEC provided initial thoughts on the current transit zone boundaries and whether such an opening might be a precursor to opening broader areas of the EEZ to recreational fishing for striped bass. ASMFC staff will continue to update the LEC on possible changes to federal regulations associated with the transit zone.

**American Lobster.**—The LEC reviewed ongoing efforts to improve enforcement capabilities for the offshore lobster fishery. Members of ASMFC reported on possible funding for a meeting of a subcommittee that would attempt to develop detailed strategies for improving offshore

enforcement. Pending approval of such a subcommittee, the LEC agreed that member participation, including from state and federal agencies, would be valuable.

The LEC also reviewed current efforts to evaluate tracking systems that could be used to better monitor movement and fishing activities in the lobster fishery, especially offshore where traditional on-the-water enforcement is a challenge.

### **Other Issues**

The LEC reviewed proposed changes to the ASMFC **2019 Action Plan** and confirmed that its work will continue to address the priorities outlined in Goal 3 of the plan once it is approved by the ASMFC.

Andy Loftus of MAFMC gave a brief presentation on a planned workshop to review **enforcement in the for-hire fisheries**. Input from the LEC will be provided by member participation at the workshop now scheduled for November 13-14. After discussing some of the questions to be addressed during the workshop, the LEC agreed to provide more detailed information from their respective jurisdictions that could be used by the workshop participants in considering responsibilities of for-hire captains for the actions of passengers. LEC vice chairman Doug Messeck will be participating in the workshop. Kurt Blanchard has participated in workshop planning.

The LEC reviewed some of the recent trends of states considering **landings flexibility** for commercial vessels landing catch from other state waters. While members concurred that such provisions present numerous enforcement challenges, it was recognized that states may continue to develop more flexibility provisions. The LEC exchanged information on specific permitting provisions that could be used to minimize abuse of such privileges. It was agreed that the ability to revoke a fisherman's permit subsequent to violations of landings regulations would go a long way to ensure better compliance. Nonetheless, members agreed that real-world examples of abuse are out there, and landings flexibility will need to be carefully implemented to minimize illegal activity.

Meeting participants from Maryland reviewed concerns with the inability to market legally-caught striped bass from Maryland in other states where those states' regulations would deem the fish undersized. LEC members concurred that this is not a significant enforcement issue if fish are properly tagged and documented through shipment records.