



# Atlantic States Marine Fisheries Commission

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## MEMORANDUM

January 28, 2015

**To: Atlantic Striped Bass Management Board**  
**From: Law Enforcement Committee**  
**RE: Atlantic Striped Bass Addendum IV Law Enforcement Review of Management Options and Subsequent State Conservation Equivalency Proposals**

The following bulleted recommendations from the ASMFC Law Enforcement Committee (LEC) were the result of a review of an early draft of Addendum IV during a telephone conference call on July 29, 2014. These recommendations were presented during the August and October 2014 ASMFC meetings. The LEC appreciates the efforts taken to avoid changing management regulations annually. We support maintaining the same regulations for a minimum of three years, especially for recreational angling where bag or size limits that change from year to year diminish enforceability and increase the likelihood of unintentional violations.

- Changing regulations in each of 3 years presents greatest enforcement challenge.
  - Adds education/outreach effort to enforcement.
  - Frequent regulatory changes lower compliance.
  - Officers use more “inform/warn” approaches following a new or changed regulation.
  - LEC recognizes value of graduated approach for public acceptance and compliance, but believes applying change in one year would maximize compliance and minimize confusion.
- For any recreational fishery, bag/size restrictions are always preferable to a strict quota management system.
- Changing commercial size limits to match recreational limits would possibly minimize confusion and aid compliance, but the LEC does not envision a major problem in commercial compliance if they remain different.
- Slot or size limits combined with trophy size allowance complicate enforcement on charter/party boats where filleting on-board is allowed (New Jersey experience).

LEC Comments on State Conservation Equivalency Proposals

Conference Call  
January 26, 2015

The LEC convened a telephone conference call on January 26 to review recent proposals for state conservation equivalency for Addendum IV. Sixteen members of the committee participated along with ASMFC staff. The following bullets present the consensus recommendations and comments from the call.

- A single size and bag limit for all recreational anglers is preferred to ensure the greatest enforceability on the water, dockside or on land.
- In general, voluntary compliance for the casual or infrequent angler (the most common type) is tied to regulatory simplicity. Slot limits and trophy fish provisions are enforceable, but may increase unintentional violations.
- Creating separate recreational size/bag limits for the for-hire/charter sector, presents significant additional enforcement challenges at marinas or dockside where the two types of anglers are likely to co-mingle.
- References to “private” and “shore” angler modes are a concern if these distinctions point to a possibility of separate regulations for private boat anglers vs. private shore anglers. The more that recreational management regulations are subdivided among groups or modes, the more difficult it will be to adequately enforce any restrictions.
- Enforcement of bag and size limits in closely adjoining states would be greatly enhanced if the regulations are consistent. The potential of two states (for example, Maine and New Hampshire or New Jersey and Delaware) to have differing size regulations presents special challenges. Officers may need to enforce strict liability (anglers would have to abide by the regulations in force at the location where they are stopped by an officer).
- Slot limits are enforceable however the narrower the slot, the more difficult the enforcement becomes. Provisions for use of circle hooks with live or cut bait only are enforceable.
- For proposals to introduce a trophy fish season, enforceability would be dependent on a tag requirement, especially for charter boat trophy fish.
- Consistency of regulations for Chesapeake Bay among the jurisdictions of MD, VA, PRFC and DC would greatly enhance enforceability and compliance.
- Development of a recreational bonus fish program for Connecticut may benefit from experience with tag/voucher system used by New Jersey.