



# Atlantic States Marine Fisheries Commission

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## Law Enforcement Committee Meeting Summary

October 30, 2013  
St. Simons Island, Georgia

Submitted by: Mark Robson. Committee Coordinator  
Committee Chair: Kyle Overturf  
Vice-Chair: Lloyd Ingerson

The Law Enforcement Committee (LEC) met in conjunction with the fall meeting of the Atlantic States Marine Fisheries Commission (ASMFC). The following members attended:

Kyle Overturf (CT), John Rutherford (DE); Rama Shuster (FL), Doug Lewis (GA), Joe Fessenden (ME), Lloyd Ingerson (MD), Pat Moran and Chris Baker (MA), Michael Eastman (NH), Dominick Fresco (NJ), Timothy Huss (NY), Steve Anthony (NC), Kurt Blanchard (RI), Chisolm Frampton (SC), Jamie Green (VA); Elizabeth Buendia (USCG); Luis Santiago (USFWS).

The LEC elected Lloyd Ingerson as the new chair and Michael Eastman as the new vice chair.

### **INFORMATION REQUESTS:**

George LaPointe presented information to the LEC regarding a project to evaluate electronic technologies in data collection. The LEC provided information and perspectives on on-board video monitoring, electronic logging and tracking systems and some of the limitations and considerations of using these technologies for law enforcement purposes. Lou Goodreau presented information on efforts of the New England Fishery Management Council to coordinate lobster gear marking regulations among state and federal entities.

### **STATE/FEDERAL COORDINATION:**

The LEC held a conference call with Mike Fry, NOAA's national coordinator for Joint Enforcement Agreements. Members discussed current reimbursement procedures in light of the government shutdown, and exchanged information about state agreements and the status of Cooperative Enforcement Agreements. New agreements in 2014 should resolve outstanding limitations on at-sea boarding authority for state agencies.

### **SPECIES ISSUES:**

Marin Hawk addressed the LEC regarding identification issues with dusky sharks and any potential identification concerns in the enforcement community. LEC members related positive experience with NOAA-sponsored identification workshops and related identification charts.

Marin Hawk updated the LEC regarding Asian horseshoe crab importation and discussed enforcement issues with current prohibitions or allowances for import of Asian horseshoe crabs among the states. LEC members discussed potential handling issues, identification of crab parts or meat, and the difficulty of field discrimination of the Asian species from native horseshoe crabs.

Toni Kerns briefed the LEC on potential new interest in cumulative trip limits for spiny dogfish. The LEC reiterated previous positions that cumulative or multi-day trip limit are not enforceable. Likewise, differing jurisdictional regulations where there might be a weekly cumulative trip limit allowed in federal waters while daily trip limits apply to state waters, would make the state waters limit very difficult to enforce.

Toni Kerns briefed the LEC on a recent letter requesting input on possible sentencing in a case involving illegal harvest of summer flounder via research set-aside quotas. LEC members discussed the importance of the case as a deterrent to future illegal activity, and the extensive commitment of resources needed to successfully prosecute such cases.

LEC members discussed American lobster management, and potential enforcement issues associated with trap tag transferability and the consequence of lobster gear remaining in the water during closed periods. Members will continue to monitor management regulations associated with the fishery and be prepared to identify enforcement difficulties.

LEC members reviewed the latest actions to develop management options for striped bass and expressed their desire to review and comment on enforcement issues associated with draft management options that are developed.

#### **LEC PLANNING AND PRIORITIES**

Toni Kerns reviewed proposed Strategic Plan elements pertaining to law enforcement for 2014 and beyond. The LEC is continuing to work on tasks that were partially completed in 2013. Most tasks remain unchanged and are actively addressed by the LEC each year.

The LEC reiterated its interest in including a representative of the Department of Justice as a standing member of the committee. The LEC coordinator will follow up with ASMFC staff regarding this request.