

**LAW ENFORCEMENT ADVISORY PANEL MEETING
JULY 20, 2011
ORLANDO**

SUMMARY REPORT

The Law Enforcement Advisory Panel (LEAP) met at the Renaissance Orlando Airport Hotel on July 20, 2011 to discuss developing SAFMC amendments. The LEAP focused on reviewing the Comprehensive ACL Amendment and Regulatory Amendment 11. Under Other Business, the LEAP discussed nomination and award criteria for a Law Enforcement Officer of the Year, outreach efforts pertaining to SMZs off Florida, and developing amendment 18A (specifically the proposed measure to reduce effort in the black sea bass fishery).

Comprehensive ACL Amendment

The LEAP had the following recommendations:

Removal of Species

RECOMMENDATION TO CONFIRM THAT A PROHIBITION ON FILLETING IS IN PLACE TO CIRCUMVENT IDENTIFICATION ISSUES. BUT MAKE SURE THE EXCEPTION FOR "IMMEDIATE CONSUMPTION" IS NOT REMOVED.

Council staff looked at the regulations currently in place and determined that the requirement to land fish intact contained in § 622.38, apply to all snapper grouper species in the FMU in the South Atlantic EEZ. This requirement will no longer apply to snapper grouper species that are being taken out of the FMU.

As for an exception for "immediate consumption", there isn't one in the regulations for the South Atlantic EEZ. However, such a regulation exists for the Gulf and Caribbean EEZ:

(d) In the Gulf EEZ or Caribbean EEZ:

(2) Legal-sized finfish possessed for consumption at sea on the harvesting vessel are exempt from the requirement to have head and fins intact, provided--

(i) Such finfish do not exceed any applicable bag limit;

(ii) Such finfish do not exceed 1.5 lb (680 g) of finfish parts per person aboard;

and

(iii) The vessel is equipped to cook such finfish on board.

LEAP IS CONCERNED ABOUT OUTREACH AND KEEPING THE PUBLIC INFORMED ABOUT CHANGES IN REGULATIONS.

Wreckfish

LE CONCERN THAT LOWER ACL MAY CREATE ISSUES. RECOMMENDATION TO INCLUDE LAW ENFORCEMENT INTO RE-EVALUATION OF ITQ PROGRAM.

LEAP RECOMMENDS THAT COUNCIL CONSIDER IMPLEMENTING VMS FOR THE COMMERCIAL WRECKFISH FISHERY.

Regulatory Amendment 11

The LEAP expressed their support of the Council's preferred alternative in Regulatory Amendment 11 (remove the 240-foot closure in the South Atlantic EEZ)

Law Enforcement of the Year Award

The LEAP reviewed the draft eligibility and award criteria document and offered changes (See Appendix A). The LEAP determined that agencies would submit one nominee to the LEAP for consideration. The LEAP would then select one nominee and forward this information to the Council. Presentation of the award would take place at a regularly scheduled Council meeting.

The LEAP also decided that all the nominees should be recognized, perhaps via an acknowledgement letter of announcement of their nomination for the award in the Council's newsletter.

In addition, the LEAP requested that the meeting during which the LEAP selects the nominee for the award be closed to the public and noticed as such in the Federal Register.

Amendment 18A

The LEAP requested that Council staff provide an update on the amendment and, in particular, discuss actions that would reduce the number of pots in the black sea bass fishery and require they be brought back to shore at the conclusion of each trip.

Action 5: Implement Measures to Reduce Bycatch in the Black Sea Bass Pot Fishery

Alternative 1 (No Action): Do not implement new regulations specifying when black sea bass pots must be retrieved from the water.

Preferred Alternative 2: Require black sea bass pots to be brought back to the shore at the conclusion of each trip.

Alternative 3: Require fishermen remove their black sea bass pots within 72 hours of the start of the fishing trip.

The LEAP stated that both alternatives under Action 5 present significant enforcement concerns and would be difficult to enforce. The following recommendations were brought up during the discussion:

- Consider a call-in program to increase enforceability.
- Definition of what constitutes a “trip” should be provided. The current definition would not allow for gear to remain in the water while fishermen return to the dock to take care of other issues or prosecute another fishery.
- The preferred alternative is enforceable in the sense that, if there are pots left out in the water, then they can be connected through the tags to the owner.
- Consider a requirement to remain within hailing distance of the gear.
- Consider requiring VMS since there is a limited number of participants and there are concerns with interactions with right whales.
- The USCG expressed concerns with not knowing how long the gear has been in the water and stated that it would not be feasible for them to mark the pots.
- GC also expressed concerns about the inability to know how long the gear was left out in the water. This fact would complicate prosecution.
- Although there are ways to mark traps that enable enforcement to ascertain how long the bear has been out in the water, this technology/approach may not hold up in court.

Special Management Zones

The LEAP discussed ways to improve outreach to inform the public of gear restrictions in the SMZs off St. Lucie County, Florida. This discussion took place in response to an inquiry to the Council from the St. Lucie County Artificial Reefs Program. The LEAP offered the following:

- SMZ areas should be clearly marked to raise public awareness and help enforcement. Sanctuary program could provide information on cost and maintenance of buoys.
- Websites should be more user-friendly to the public can locate the regulations associated with these sites more easily
- Consider generating outreach material for SMZs like what was developed for the Deepwater MPAs
- Consider posters/kiosks at boat ramps (however, vandalism was stated as a problem)
- Mapping of SMZs is an important component of outreach.

General Outreach

The LEAP offered the following recommendations to improve general outreach efforts by fisheries agencies:

- Dedicate a radio channel frequency to fisheries information.
- The USCG is looking at ways to better disseminate fisheries regulation information to enforcement officers. Updates to their message traffic system are being evaluated.
- Make fisheries regulations available more widely (i.e. Walmart, Dick's Sporting Goods, etc.)
- Utilize social media such as Twitter, Facebook, blogs, etc.
- Consider increasing the amount of information targeted to the for-hire sector. Two regulations brochures to disseminate more of the appropriate regulations?
- A website that is user-friendly is the easiest and most cost-effective means to transfer information. The website has to be smart-phone friendly.
- Printed material is still useful to hand out to fishers.
- Outreach and education on current regulations should be a priority for the Council.
- Consider use of podcasts and YouTube videos.
- Consider commercials on local television (similar to that broadcast by hotels) Consider use of public service stations on cable television.
- Consider using a survey to gauge the type of resources that the public would prefer.
- In areas that experience a lot of turnover (i.e., coastal areas with lots of vacation homes) – Install kiosks at marinas that direct people to the appropriate resources.
- Consider outreach via fishing shows and other media.
- Consider issuing updates via GPS units. Investigate whether regulations can be supplied to GPS vendors.

The LEAP expressed serious concern over the possible increase in frequency of changes to the regulations and the lack of adequate ways to inform the public about such changes. They expressed their intent to make their concerns known to the Council via letter.