

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
LAW ENFORCEMENT COMMITTEE**

**Charleston Marriott Hotel
Charleston, SC**

September 14, 2010

SUMMARY MINUTES

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Duane Harris
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Dr. Brian Chevront
Tom Burgess
Mark Robson
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Mike Collins
John Carmichael
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Observers/Participants:

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Dr. Bonnie Ponwith
Dr. Carolyn Belcher
Karen Antrim-Raine

Dr. Jack McGovern
Nik Mehta
Dr. Marcel Reichert
Dr. Bob Shipp

Additional Observers and Participants Attached

The Law Enforcement Committee of the South Atlantic Fishery Management Council convened in the Topaz Room of the Charleston Marriott Hotel, Charleston, South Carolina, September 14, 2010, and was called to order at 11:40 o'clock a.m. by Chairman George Geiger.

MR. GEIGER: Mr. Chairman, I think we can get this done thanks to our staff support. Myra did an excellent Laneyesque job in capturing the minutes of the Law Enforcement Advisory Panel Meeting, which was held in Charleston on the 10th and 11th of August. I would direct everybody's attention to Attachment 1, which is a summary of that Law Enforcement Meeting.

We don't have any actions to take. This is a very, very great synopsis of what occurred at that meeting. I don't want to cut anything short because what they did was extremely important, but everybody can read here and I don't want to insult anybody by reading to them what occurred. They're going to come back to us with their recommendations on the Law Enforcement Office of the Year.

They're working on the criteria along with assistance from staff. I know there has been some back-and-forth with regard to that. That was one of the things that was discussed in some pretty lively detail. We had a discussion reference compliance rates, and we tried to get an estimate from the different states regarding compliance rates.

Special Investigator Easley was tasked with developing under the JEA compliance rates, and I believe everybody is in receipt of an e-mail. Unfortunately, mine was corrupted and I didn't have the states – I have the information with regard to compliance, but I don't have where that data came from. It got corrupted in my file, so I had some questions for him, but we can certainly get that clarified and get it re-mailed to the council when we get it fixed.

We also had a discussion of the snapper grouper regulations. Several council members I have spoken with were concerned with regard to how the states – if the states were monitoring and enforcing the ban on red snapper and the January closure of grouper. That was discussed, and I can report back to the committee and to the council to my satisfaction that in fact the states have taken it seriously and they are in fact enforcing it.

There have been a number of cases made. In fact, I've got a meeting with two district commanders from Florida Law Enforcement when I get back next week probably to discuss my concerns which were raised at that meeting. We got a very good presentation from Lieutenant Rick Mach.

This is an attachment in your briefing book, and it is concerning the use of Guardian Drone Aircraft in surveillance of fisheries. It is an excellent project. This is something that we've been looking for. Mr. Currin was also at the meeting. We had a pretty active discussion about the capabilities of this particular project. For the benefit of the people who were watching on TV or on the web, this is included as an attachment to the briefing book material, and it is at the website. I encourage everybody to take a look at it because it is a very interesting piece of surveillance equipment. It is being employed currently by the Coast Guard.

We also received at that meeting a briefing from Dr. Sandra Brooke concerning surveillance and enforcement of remote maritime areas, SERMA. She is heading up a program that has been funded to investigate surveillance in her agency activities' methodologies of monitoring remote activities. She came to gather information basically at this meeting and also provide an update as to what is available to the committee.

The AP also undertook a review of two documents. One of them is Enforcement Considerations for Regional Fishery Management Councils and Guidelines for Resource Managers on Enforceability of Fishery Management Measures developed by the Atlantic States Marine Fisheries Commission recently updated under Mr. Boyles' tenure as chairman.

The staff is looking at those two documents in an effort to try and glean the best and most appropriate items from each of those and put them into a document that our enforcement folks can use as well as the council can use in development future amendments.

They also discussed outreach in education. Kim came forward with some frequently asked questions and the fact that the public calls constantly the South Atlantic Office with issues concerning law enforcement. She discussed the feasibility of developing a Frequently Asked Question type of response vehicle so the public can be directed to get answers to those frequently asked questions.

Staff was directed to develop a strawman and provide it back to the Law Enforcement AP for feedback. Did you have anything you wanted to add to that, Kim? Is that sufficient? Okay, and the last item was I attended the Law Enforcement Summit up in Washington, which was conducted I think at the beginning of August. It was a very, very interesting discussion.

They had representatives from the prosecutorial side and law enforcement from all regions of the country, and they broke down into small working groups with all the regions represented in some capacity at each table, and it was very interesting to hear the type of questions and issues that were raised by the different regions. It became very obvious to me early on that the majority of the issues that were problematic within the law enforcement community seemed to center within New England. Those issues were certainly highlighted.

It was interesting that most of the issues that had identified in the IG Report concerning law enforcement have already been addressed by NOAA Fisheries and NOAA, and they are taking actions to correct those activities with a directed plan. Mr. Chairman, unless there are questions, I would encourage everybody to go back and read that summary. It's a very good, Myra, and I appreciate you taking those comprehensive notes. Mark.

MR. ROBSON: George, I saw in the report that they did raise the issue of the general funding level for those states that are under the JEA. There was a request from the LEAP to consider requesting additional funding for that program to adequately fund those JEA activities. Was there an actual motion or recommendation from the LEAP?

MR. GEIGER: I've raised the question about JEAs. Nobody has ever explained to me what the JEA is and how it operates. Once I delved into it and learned about what the JEA is for Florida,

it was very enlightening with regard to how much enforcement we're getting and the type of enforcement we're getting reference the contribution that is made via the JEA.

There was a general conversation about, for example – I'm not revealing any secrets here – the Florida Law Enforcement Budget is \$45 million and the JEA for Florida is \$1 million, which equates to about 4,000 man-hours and Florida is currently doing 8,000 logged man-hours of JEA enforcement. They're got another 5,000 that they're not claiming.

But when we questioned how much are we getting and what is law enforcement doing with regard to federal fisheries management, you can see that with a million dollars being contributed to that process you're going to get what you pay for, so we talked about how do we get more. Certainly, Otha talked about the possibility of more money you get more activity, and the council has the ability to in fact write a letter requesting additional JEA monies for the states in an effort to try and increase federal enforcement activity.

MR. ROBSON: Mr. Chairman, I would like to make that motion, that the council staff prepare a letter that would summarize the JEA activities and the shortfall in terms of current funding levels and request assistance in getting that beefed up.

MR. GEIGER: Okay, so we have a motion for staff to write a letter on behalf of the council to request additional funding for JEA activities, and I've got a second by Robert Boyles. Any discussion? Okay, we've got a motion and a second. Is there any objection to that motion? Seeing none, that motion is approved. Do we have any other business to come before the committee?

DR. LANEY: At the last council meeting I had an off-the-record discussion with Otha Easley about the fact that the Law Enforcement AP does not presently have Fish and Wildlife representation on it. I would just like to notify the council of that and indicate to you, as chairman, that if you would like to have a Fish and Wildlife Service representative on the Law Enforcement Advisory Panel, I'll be happy to work with the council to secure such representation.

MR. GEIGER: Thank you. I assume and I would ask if there was any objection to the agenda as it was proposed? Seeing none, the agenda is approved. Is there any objection to the minutes; any corrections to the minutes from the previous meeting? Seeing none, those minutes are approved. Mr. Chairman, we're done with law enforcement.

(Whereupon, the meeting was adjourned at 11:51 o'clock a.m., September 14, 2010.)

Certified By: _____ Date: _____

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October 15, 2010

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PLEASE SIGN IN

So that we will have a record of your attendance at each meeting and so that your name may be included in the minutes, we ask that you sign this sheet for the meeting shown below.

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Charleston, SC
Tuesday, September 14, 2010

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