

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **LAW ENFORCEMENT COMMITTEE**

**Hilton Cocoa Beach Oceanfront  
Cocoa Beach, FL**

**June 16, 2016**

### **SUMMARY MINUTES**

#### **Law Enforcement Committee**

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LT Tara Pray  
Ben Hartig  
Zack Bowen

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#### **Observers/Participants:**

Capt. Mark Gordon  
Rick DeVictor  
Nik Mehta  
Dr. Jack McGovern  
Dr. Bonnie Ponwith  
John Sanchez  
Jeff Radonski  
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Iris Lowery  
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Jocelyn D'Ambrosio  
Dr. Mike Larkin  
Dr. Andy Strelcheck  
Tracy Dunn  
Bruce Irwin

Additional Observers Attached

The Law Enforcement Committee of the South Atlantic Fishery Management Council convened at the Hilton Cocoa Beach Oceanfront, Cocoa Beach, Florida, Thursday morning, June 16, 2016, and was called to order by Chairman Mark Brown.

MR. BROWN: Now we will be going into open session.

MS. BROUWER: Okay. Now we can go back to the overview, if you want to pull that up. It's on your screen, and this is, as I was saying, basically just a list of items that have surfaced, some things that are follow-up from the March meeting that some of you had expressed interest in further discussion and others that sort of are outstanding items. I just wanted the committee to go through this list and make sure that this is what they would like the Law Enforcement AP and Committee to discuss, and if there's any other items that need to be added -- There is one issue that we're going to bring up that you may want to also add to the agenda for August.

I will just go through them. The first one is we talked about drafting language to describe what constitutes proper stowage of spearfishing gear and to suggest that NOAA Fisheries include that in the regulations. We have a lot of areas, closed areas, where the transit provisions have language that explains what constitutes proper stowage or disengaging of the fishing gear so that the vessels can transit through these areas, and there is no such language specifying what constitutes proper stowage of spearfishing gear, and so that would be one item.

The Law Enforcement AP also expressed interest in taking a little bit more time to review the for-hire reporting amendment and provide their recommendations. They did get to discuss this in March. That amendment, as you know, is moving a little bit slowly. There was some interest in spending more time in looking at the various data elements that are going to be included in the reporting requirements, and so the AP wanted to be more involved in that and provide their recommendations.

Another item is NOAA GC had talked about providing a report on the use of operator cards in other regions and not just in the South Atlantic. I know some council members were interested in getting more information on how those are being used for enforcement in our area, and that is something that the Law Enforcement AP said, well, it's going to take us a little bit more time to discuss that and then, with the information that NOAA GC is going to provide, that's going to be a more productive discussion in August.

Another item that was discussed at the March meeting was getting an update from the FWC on enforcing the regulations of the newly-implemented amendment that spells out the requirements to transport fillets from the Bahamas, and that was something that, back in March, was sort of in the works. My understanding was that by summer there was going to be some progress made and that the FWC may have some information for the council.

MS. MCCAWLEY: Just to let the council know, FWC had to make regulatory changes as well to allow these fillets to be landed in the State of Florida. It's actually a suite of regulatory changes that goes before our commission at their meeting next week for approval.

MS. BROUWER: Okay. Great. Thanks for that. It sounds like maybe all we need then in August will be a quick update of where we are. Okay. Then another item was the various representatives on the Law Enforcement AP thought that it would be prudent to give an update on their JEA

activities, how those funds are being used, and just sort of to make sure that everybody is on the same page as far as what the JEA constitutes and how that is helping enforcement in each of the states.

That is what I had gathered. Please let me know if there are other items that you would like to include. One thing that Mel had brought up that he wanted us to discuss is this issue of hopefully being able to put the closed areas, the various closed areas in our region, on navigational charts, and I know that Roger has been looking into that, and so I'm going to let him go ahead and give you an update on that.

MR. PUGLIESE: Good morning. This has been a little ongoing process, and we've gone through a number of different levels of NOAA to try to pin down exactly where we are with that, because I had thought we had got to a point where, with the electronic chart opportunities, that we were really going to advance things. We had gone through Denise Gruccio with the Charting Division and then ended up most recently with Kyle Ward with the Office of Coast Survey.

The Office of Coast Survey just published procedures on operations in early 2016, and the response back basically provided our areas, provided even links to online systems. The bottom line that he was trying to relay in providing the information was that, while Oculina is on the existing chart, it was grandfathered into the system and that they were going to add in the extension, but they have tightened down what is actually going to be provided on the charts, to really, to a great degree, deal with hazards in navigation and different things.

However, opened the door in terms of getting additional clarification, and so what I was going to do was to -- I already drafted a request to him. He said if there was additional information required that they would be willing to provide it. I think the high ground would be to request Kyle Ward or someone within the Office of Coast Survey provide the specifics of the procedures and what those are to the joint committee and AP meeting, so we really clarify the position. I think that would be the highest ground at this point.

To clarify, when it was going through Denise, what they were trying to say is, well, maybe some of the other different programs go to the vendors, go to the ocean observing groups, and kind of going outside their bounds. At one time, they had actually talked about creating fisheries layers within the chart survey. Apparently they have backed away from some of those types of discussions with personnel changes that were moving that forward, but I think that would provide kind of at least the clarification of really what could be done. Maybe there is still some latitude to do that.

Now, that is one reason we've been including all of ours online for our system and linking to other systems for any other presentations of managed areas, as well as National Marine Fisheries Service, through the Regional Office, has footprints too, but that's where we are. I was hoping it was going to be something simpler, and it kind of flipped around the other way, but the best avenue at this point would be clarification directly from the Office of Coast Survey, through Kyle Ward's office.

MR. WAUGH: At the last Law Enforcement AP meeting, we had the beginnings of a discussion about enforcement of our reporting requirements, and I think that is something we would want to work together with the committee and the Law Enforcement AP, to continue to talk about what

we can do to make the enforcement more effective and get a higher compliance on the dealer reporting, headboat reporting, commercial logbooks, and how do we prepare for the upcoming charter boat logbooks as well.

MR. BROWN: Is there any other items that anybody would like to have included? I guess, if there's no other items --

MR. HARTIG: I think I would like to explore that MPA Watch Concept I got from that meeting when I went out to California for that citizen science meeting. California has got an MPA watch system, where they have actual citizens that -- They are not enforcement. They don't do enforcement. They do education though, but, from the law enforcement context, I just think to bounce this off the law enforcement and how it might work and how could they be interacting with people that were willing to be involved in this process, just an overview of how that might work, I mean if we have time.

MS. BROUWER: Thanks, Ben. Sure, we will add that to the list. Just so you know, the Law Enforcement AP and Committee will meet for one full day, the afternoon of the 4<sup>th</sup> and the morning of the 5<sup>th</sup>. To the extent that we have time to cover all of these items, then we will draft the agenda and get the Federal Register notice out.

MR. BROWN: Okay. If there's no other items, then that ends our committee meeting.

(Whereupon, the meeting adjourned on June 16, 2016.)

Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

Transcribed By:  
Amanda Thomas  
July 27, 2016

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6/16/2016 11:09:41	Leda Dunmire	ldunmire@pewtrusts.org	on file	Non-Governmental Organization
6/16/2016 12:59:27	Elizabeth Joln	elizabethjolin@bellsouth.net	on file	Charter/Headboat/For-hire
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