

Overview

Law Enforcement Advisory Panel

The King and Prince
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The Law Enforcement Advisory Panel will: (A) receive an update from Council staff on recently completed and developing fishery management plan amendments; (B) receive updates from federal and state agency representatives on the LEAP on Joint Enforcement Agreements (C) receive an overview from Council staff on Snapper Grouper Amendment 35 (removal of species & golden tilefish endorsements issue) and provide recommendations; (D) receive an overview from Council staff on Snapper Grouper Amendment 36 (spawning SMZs) and provide recommendations, (E) receive an overview from Council staff on Regulatory Amendment 16 (black sea bass pots closure) and provide recommendations, (F) receive a presentation from Council staff and discuss the use of remote sensing tools to monitor MPA compliance, and (G) address other business as appropriate.

A. Recently Completed and Developing FMP Amendments (*Attachment 1*)

Myra Brouwer, Council staff, will update the LEAP on recently submitted and developing amendments to South Atlantic Council Fishery Management Plans. The LEAP is encouraged to provide guidance and recommendations, as appropriate.

B. Joint Enforcement Agreements

Federal and state agency representatives on the LEAP will provide updates on the status of Joint Enforcement Agreements.

C. Snapper Grouper Amendment 35 (Removal of Species and Golden Tilefish Endorsements; *Attachment 2a & 2b*)

Amendment 35 to the Snapper Grouper Fishery Management Plan (FMP) contains two actions: (1) remove four species from the Snapper Grouper Fishery Management Unit, and (2) clarify regulations pertaining to commercial golden tilefish harvest.

The Council is considering removing **black snapper**, **dog snapper**, **mahogany snapper**, and **schoolmaster** from the FMP because they have extremely low commercial landings in state and federal waters, almost all harvest (recreational and commercial) occurs in South Florida, and the Florida Fish and Wildlife Conservation Commission (FWC) has agreed that, if the four species are removed from the FMP, they would extend state regulations for those species into federal waters. Additionally, consistent regulations for snapper grouper species caught primarily in South Florida are needed. Some regulations are inconsistent across the jurisdictional boundaries of Florida state waters, Gulf of Mexico federal waters, and South Atlantic federal waters, making enforcement difficult.

Snapper Grouper Amendment 18B established a longline endorsement program for the commercial golden tilefish fishery and modified the golden tilefish commercial trip limits. The golden tilefish endorsement, sector quotas, and trip limits were put in place because the commercial annual catch limit (ACL) was being caught very rapidly with longline gear, and fishermen who had historically used hook-and-line gear to target golden tilefish were not able to

participate in the fishery. The final rule for Amendment 18B states “Vessels with a golden tilefish longline endorsement are not eligible to fish for golden tilefish using hook-and-line gear under this 500-lb (227-kg) trip limit.” However, during public hearings in August 2014, the Council was made aware that some endorsement holders thought they could transfer their golden tilefish longline endorsement to another vessel and then fish for golden tilefish using hook-and-line gear, or that they could renew their Federal commercial snapper grouper vessel permit at one time but wait to renew their golden tilefish longline endorsement and then fish for golden tilefish using hook-and-line gear while their endorsement is not valid. Neither of these two scenarios fit the original intent of the Council when the endorsement program was established. Action 2 in Amendment 35 would clarify the regulations in accordance with the Council’s intent.

Myra Brouwer, Council staff, will present an overview of the amendment. The LEAP is encouraged to offer comments and recommendations, as appropriate.

D. Snapper Grouper Amendment 36 (Spawning SMZs; Attachment 3)

Amendment 36 would specify a process for identifying spawning sites/aggregations for snapper grouper species, including speckled hind and warsaw grouper, based on the characteristics of sites important for spawning (bottom topography, current systems, etc.). Spawning SMZs would only consider prohibiting fishing for and/or possession of snapper grouper species (species in the snapper grouper fishery management unit); fishing for all other species would be allowed. The amendment would also revise the boundary of the Charleston Deep Reef MPA, and include an action to address transit and anchoring provisions within newly designated Spawning SMZs. Note: The Spawning SMZ approach would not make any changes to the existing MPAs. The Council is developing a System Management Plan to specify the outreach, law enforcement, and monitoring/research projects necessary to effectively monitor and evaluate the existing MPAs.

Gregg Waugh, Council staff, will present an overview of the amendment. The LEAP is encouraged to offer comments and recommendations, as appropriate.

E. Snapper Grouper Regulatory Amendment 16 (Black sea bass pot closure; Attachment 4)

Regulatory Amendment 16 addresses the annual Nov 1-April 30 prohibition on the use of black sea bass pots. The closure was implemented through Regulatory Amendment 19, which also increased the black sea bass ACL in accordance with the latest stock assessment and the recommendations of the Council’s Scientific and Statistical Committee (SSC), to minimize the risk of entanglement to right whales and other ESA-listed whales in the South Atlantic region. The amendment includes two actions. The first action includes a suite of alternatives that modify the closure spatially and temporally. The second action was added to the amendment in December 2014 and would address modifications to black sea bass pots. Scoping meetings for Regulatory Amendment 16 were held in January 2014. The Council reviewed the analyses for this amendment at their December 2014 meeting, made modifications to the amendment, and revised the timeline for development. In March 2015, the Council will continue to review analyses and, if appropriate, select preferred alternatives. The Council is scheduled to approve the amendment for public hearings at their June 2015 meeting. Public hearings would be held in August 2015. The Council is scheduled to approve submission of the document to the Secretary at the December 2015 meeting.

Brian Chevront, Council staff, will present an overview of the amendment. The LEAP is encouraged to offer comments and recommendations, as appropriate.

F. Remote sensing as a tool to monitor MPA compliance (*Attachment 5*)

Compliance with MPA boundaries is difficult to assess especially for the offshore MPAs in the Council’s jurisdiction due to the distance from shore and the lack of a requirement for electronic monitoring devices for most fishing vessels. Observations by partnering agency patrols indicate there are few violations within the MPA boundaries, while public comments indicate there are chronic violations of the MPA boundaries. Remote sensing is a tool to monitor compliance of the MPA boundaries using satellite imagery. From the images, it is possible to locate vessels and determine if the vessel is moving based on presence/absence of wake. In addition to monitoring compliance, the satellite imagery could be used to improve the timing and location of patrols.

Chip Collier, Council staff, will present images analyzed by CSTARs of the Oculina Banks. The LEAP is encouraged to offer comments on the potential of remote sensing as a tool for the Council to monitor compliance with MPA boundary regulations.

G. Other Business

The LEAP will discuss issues as appropriate.