



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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Dr. Michelle Duval, Chair | Charlie Phillips, Vice Chair
Gregg T. Waugh, Executive Director

AGENDA

Law Enforcement Committee

Sawgrass Marriott
1000 PGA Tour Boulevard
Ponte Vedra Beach, Florida

Tuesday, June 13, 2017 – 8:00 A.M. to 9:30 A.M. (Times subject to change)

Approval of Agenda – Mel Bell

Approval of December 2016 Committee minutes – Mel Bell

1. Selection of 2016 Law Enforcement Officer of the Year (*Attachment 1*) – **CLOSED**
 - a) Overview of nominees – Mel Bell
 - b) **Committee action:** select recipient of 2016 Law Enforcement of the Year Award – Mel Bell
2. Advisory Panel Report (*Attachment 2*)
 - a) Overview – LE AP Chair
 - b) Discussion of utility of operator cards – LE AP Chair & Mel Bell
 - c) Discussion of enforcement of offloading and closure timing – LE AP Chair & Mel Bell
 - d) Committee action: discuss and provide guidance to staff – Mel Bell
3. Discussion of agenda items for next Law Enforcement Advisory Panel Meeting – Mel Bell
4. Could reporting requirement violations result in suspension of permit? (*Attachment 3*)
 - a) Presentation – Karen Raine/Monica Smit-Brunello, NOAA General Counsel
 - b) **Committee action:** discuss and provide guidance to staff – Mel Bell

Other Business – Mel Bell

Adjourn – Mel Bell

Committee Members

Mel Bell, Chair

Anna Beckwith, Vice-Chair

Mark Brown

Ben Hartig

Doug Haymans

LCDR Jeremy Montes

Attachments

Attachment 1: LEOY 2016 nominees

Attachment 2: LE AP Summary Report (May 2017)

Attachment 3: Presentation on Non-Reporting and Permit Suspension

Staff: Myra Brouwer

OVERVIEW

Law Enforcement Committee

The Committee will approve of minutes from December 2016 meeting and agenda.

1. Selection of 2016 Law Enforcement of the Year – (Attachment 1) – CLOSED

Description: Nominees for the 2016 Law Enforcement of the Year (LEOY) award were submitted from South Carolina, Georgia, Florida, NOAA Fisheries, and the U.S. Coast Guard. North Carolina did not submit a nominee for consideration this year. As in years past, the Law Enforcement Advisory Panel reviewed the nominations and selected three of the five nominees for the Council’s consideration. The 2015 LEOY award went to NOAA Fisheries Special Agent Richard Chesler.

Required Committee Action: Consider the nominees and select the recipient of the 2016 LEOY award. Voting will be conducted via secret ballot. The award will be presented at the 2017 September meeting in Charleston, SC.

2. Law Enforcement Advisory Panel Summary Report – (Attachment 2)

Description: The LE AP met in Charleston, SC on May 18-19, 2017. Among the topics on the LE AP’s agenda was how to improve the utility of operator cards (currently required for the Rock Shrimp fishery and the Dolphin Wahoo fishery). The Council has discussed the topic at recent meetings and approved a motion in December 2016 to remove the requirement for an operator card for the for-hire component of the Dolphin Wahoo fishery. The LE AP Chair will present the AP’s recommendations on this topic. In addition, also in December 2016, the Council requested clarification from the region’s law enforcement partners on how in-season commercial fishery closures are enforced. Specifically, Council members were interested on how consistent enforcement is on this issue throughout the region and how violations are addressed. The LE AP Chair will present other recommendations on other enforcement-related topics.

Required Committee Action: None.

3. Agenda Items for next LE AP meeting

Description: The LE AP has expressed interest in meeting twice annually, in the spring and fall. The Committee will have the opportunity to request specific items they wish the LE AP to provide input on at their fall 2017 meeting.

Required Committee Action: Discuss items for fall 2017 LE AP meeting.

4. Penalties for reporting requirements violations – (Attachment 3)

Description: During discussions at the March 2017 Council meeting, a member noted that Section 307 of the Magnuson Act stated that it is unlawful to violate any provision in the Act or any regulation or permit issued pursuant to the Act. He noted that reporting requirements are considered provisions/regulations of the Magnuson Act and, therefore, subject to penalties if violated. Further, under the permit sanctions section of the Magnuson Act, it states that, in cases where a vessel has been involved in any act prohibited under Section 307, the Secretary may revoke, suspend, deny, or impose additional conditions on the vessel permit.

The Council member requested a clarification from NOAA GC of why non-reporting would not qualify for denial of a permit. Karen Raine will deliver a presentation on this topic to the Committee.

Required Committee Action: Discuss and provide guidance to staff.

Other Business