

Overview

Law Enforcement Committee

Double Tree by Hilton Atlantic Beach Oceanfront
2717 West Fort Macon Road
Atlantic Beach, NC

December 5, 2016

The committee will: (1) receive a report on the level of commercial logbook reporting at the time of permit renewal; (2) receive a report on the level of compliance on commercial and headboat logbook reporting requirements; (3) discuss items from the joint meeting of the Law Enforcement Advisory Panel and Law Enforcement Committee; and (D) address other business as appropriate.

1. Commercial Permit Renewal and Logbook Reporting (*Attachment 1*)

As the Council moves forward with amendments to modify and improve reporting requirements for headboats (SAFMC & GMFMC 2013) and charter vessels (under development), much time has been spent exploring the issue of compliance with current reporting requirements. For the commercial sector, logbook data are to be submitted within one week to the Southeast Fisheries Science Center as shown in the regulations below; complete reporting is a requirement for the permit to be renewed.

§ 622.176 Recordkeeping and reporting.

(a) *Commercial vessel owners and operators--(1) General reporting requirements.* The owner or operator of a vessel for which a commercial permit for South Atlantic snapper-grouper has been issued, as required under § 622.170(a)(1), or whose vessel fishes for or lands South Atlantic snapper-grouper in or from state waters adjoining the South Atlantic EEZ, who is selected to report by the SRD must maintain a fishing record on a form available from the SRD and must submit such record as specified in paragraph (a)(4) of this section.

(2) *Electronic logbook/video monitoring reporting.* The owner or operator of a vessel for which a commercial permit for South Atlantic snapper-grouper has been issued, as required under § 622.170(a)(1), who is selected to report by the SRD must participate in the NMFS-sponsored electronic logbook and/or video monitoring reporting program as directed by the SRD. Compliance with the reporting requirements of this paragraph (a)(2) is required for permit renewal.

(4) *Reporting deadlines.* Completed fishing records required by this paragraph (a) must be submitted to the SRD postmarked not later than 7 days after the end of each fishing trip. If no fishing occurred during a calendar month, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the end of that month. Information to be reported is indicated on the form and its accompanying instructions.

However, an unknown number of fishermen wait until it is time to renew the permit to submit the data. They are notified that their permit application is incomplete and they are given

the opportunity to provide the missing data. Whether these data are accurate or fictitious is unknown. The Council has requested this practice be stopped for many years but to no avail. Modifications to commercial data reporting will be addressed in an upcoming amendment. To that end, the Council requested a presentation from the Southeast Fisheries Science Center on the frequency of commercial data reporting for the September meeting but due to difficulties in compiling the data, the SEFSC requested that the presentation be moved to December. Specific questions the Council raised are: how many commercial fishermen are waiting until their permit is up for renewal to comply with the reporting requirement? What is the level of catch for these individuals? Are these data included in the database and are they flagged to indicate they were reported late?

COMMITTEE ACTION: Discuss and take action as necessary.

2. Compliance on Commercial and Headboat Logbook Reporting (Attachment 2)

As mentioned above, the issue of compliance with reporting requirements has been discussed frequently in light of recent and developing amendments to Council FMPs to modify reporting requirements and thus improve fishery-dependent data. Staff from the SEFSC will deliver a presentation on the level of compliance with reporting requirements for commercial and headboat logbooks. Weekly electronic reporting was implemented for headboats operating in the South Atlantic EEZ in January 2014. Weekly reporting is required for dealers (implemented in August 2014), and commercial snapper grouper permit holders are required to provide commercial logbooks weekly.

COMMITTEE ACTION: Discuss and take action as necessary.

3. Law Enforcement Advisory Panel & Law Enforcement Committee Summary Report – Follow-up items (Attachments 3-5)

The Law Enforcement Advisory Panel (LEAP) and Law Enforcement Committee met jointly in Charleston, SC on August 4-5, 2016. The summary report (*Attachment 3*) provides an overview of the discussions that took place. Among the items of discussion was the utility of operator cards (permit) currently required for the Dolphin Wahoo (commercial and for-hire sectors) and rock shrimp fisheries. NOAA GC delivered a presentation (*Attachment 4*) during the meeting on how operator permits are used in the South Atlantic and Greater Atlantic Regions. Law Enforcement Committee members requested that NOAA GC clarify at a subsequent meeting, how operator permit violations are handled. Also, the LEAP stated they would provide recommendations to Council on how to improve the utility of operator cards. However, this will require time for evaluation and development of specific recommended changes. In the meantime, the LEAP requested that the Council provide guidance on how they envision the operator permits should be utilized.

The LEAP and Committee also recommended that the Council request that SAFMC managed areas be included in NOAA nautical charts. The Council approved a motion to this effect at the September 2016 meeting, and a letter (*Attachment 5*) was sent to NMFS to fulfill this request.

COMMITTEE ACTION: Discuss and take action as necessary.

4. Other Business

The Committee will address other items as appropriate.