CHAIRMAN STUNZ: Okay. Thank you, General Spraggins. Chris does have a motion. Go ahead, Chris, or has a comment, at least.

MR. SCHIEBLE: Apparently I have nine minutes to go through this, at the end of the day here, but I would like to have a discussion, and I would have brought this up in committee, but we’re not on the committee, and not able to make motions at that point, and so I sent you all a PDF with some information from a recent enforcement action, and there it is, and that’s what we need.

This took place over the course of the past year, but this news release came out in April, I believe, April 20, from our department, and, also, I believe it got transmitted on the fishing wire nationally as well, and I wanted to bring your attention to this, because I’ve been talking with our enforcement agents for quite a while about these types of cases taking place in Louisiana, and this one is the most gross
negligence of the cases that I have seen so far, or at least the worst offense.

In particular, two individuals were cited for this, and one of them received their third, fourth, and fifth offense for violating the IFQ system, regulations, to commercially harvest red snapper, and so they also got cited for false public records, which is the falsification of trip ticket information for the department.

Over the course of 2022 through 2023, there were three separate fishing trips that these pertain to, and they landed an exact amount of red snapper with the advance landing notifications, correct when they came to the dock, and they filed the trip tickets and claimed that those were true and correct.

The agents, that worked under the JEA to do the dockside intercepts, and I guess we could call it that, for the advance landing notifications weighed those, and they actually weighed the snapper coming in, and there were some instances where those weights were several hundred pounds off from the weight reported, and they went undocumented, those snapper, and they were not removed from the yearly quota allotted to this individual for the given year, and so his allocation did not have these deducted from them, and that’s a total of 1,268 pounds of red snapper were not included in his weight reported to NOAA.

I thought that’s a pretty large amount to not be reported in the IFQ system, and so what I was trying to get to in this motion that I think you guys have, and I sent it up, and, if not, let me know, and I can resend it, but --

CHAIRMAN STUNZ: We’re going to go ahead and pull up that motion.

MR. SCHIEBLE: We’ll get the motion up, and we’ll elaborate a little bit on it. I could not find a simple way to write this, and so it’s fairly long and complicated, and maybe I need a little help with it, I suppose, but what the goal is, it’s to have the Law Enforcement Technical Committee, coming up here in October, address this issue and to look at the number of advance landing notifications that, across all five Gulf states for the red snapper IFQ that are placed and the amount of intercepts, and I guess we could call it that, for enforcement that go with those landing notifications and then how many of those are associated with an amended landing report on the backend.
IFQ fishermen have the ability to amend landing reports after the fact, for up to, I believe, fifteen days, I think it is, and I can’t remember the actual rule, but I am trying to find out how many of those are directly associated with an interaction with enforcement or not, and so sometimes, when I looked at the data from our enforcement, there are cases where individuals actually reported too much, and then they did amended landing reports, after they weighed in fish, and some allocation was given back to them, and so it’s not always in the wrong direction, I guess, but what I’m trying to find out is how prevalent this is, because I can’t find where that 1,268 pounds is then documented in the system as a payback.

The idea is that, if that person has allocation, that they were over by 1,268 pounds, it would automatically be deducted from the allocation that’s given to them the next season, right, the next fishing year, and that’s how the system works, just like it does for the private rec states, but I don’t know where to find that.

I looked at the IFQ website, and I see the landings for this year, currently, that are on there, and it doesn’t speak of any payback that was done from the previous year, for any of these violations, and I’m sure this is not the only one that has taken place this year, and maybe this is a Louisiana-centric problem, but I doubt it, and so the task is -- Do you need me to email the motion again?

CHAIRMAN STUNZ: I just re-forwarded it, Chris, and so they should be pulling it up here in just a second.

MR. SCHIEBLE: The task is written in the motion, and I can read the very long motion here in a minute, when it comes up.

CHAIRMAN STUNZ: Okay. As soon as they get it up, and, if you all recall, and some of you may not, because you weren't on the council, but we had a discussion over this very thing, and there were several state agencies, law enforcement officers, talking about the potential for this, and, at the time, I don’t think there had been any cases made, or something, and now it looks like they’re starting to pay more --

MR. SCHIEBLE: It appears to be that way, and I have no idea, but it seems like a simple ask of the LETC, at their October meeting.

CHAIRMAN STUNZ: Okay, and so there is your motion, Chris, if you want to read that into the record real quick.
MR. SCHIEBLE: Okay, and so the motion is that the council requests that the Law Enforcement Technical Committee, at its upcoming October meeting, research all IFQ red snapper advanced landing notifications from 2022, among all five Gulf states, and formulate a comparison report of the proportion of inspected to non-inspected red snapper IFQ landings and subsequent proportion of amended landings reports for each category and the quantity of pounds amended by category. Further, provide a comparison of the number of non-inspected amended landing reports that adjusted poundage higher versus lower along with the frequency of occurrence and the magnitude of adjustments in pounds and whether any patterns exist. The LETC should provide a report back to the council at its January 2024 meeting in the Law Enforcement Committee.

CHAIRMAN STUNZ: Okay. Thank you, Chris. We need a second, if anyone is willing to second that motion. Susan. Okay. We’ve got a second from Susan. Chris, we’ve had pretty good rationale, and if there’s anything else that you want to add, or if there’s any discussion.

MR. SCHIEBLE: Just I have discussed this individually with different law enforcement folks, and it was, obviously, led by Major Aucoin, Dean Aucoin, in our department, and I work with him, and he’s on the LETC, and I spoke with Scott Bannon and other enforcement agents about this, is this a doable ask, and is this going to bog them down tremendously or not, and they seemed to think that this is a workable problem, or a workable solution to the problem, to be able to present this back to us in that timeframe, and so I don’t see a huge issue with asking them for that.

CHAIRMAN STUNZ: Okay. Discussion? Kevin, I see your hand is up.

MR. ANSON: For background, to inform whether or not I have a question related to this motion, going back to the announcement that Louisiana LDWF had with the violations, in that specific instance, this was an individual, or individuals, who had quota, allocation, and they were also dealers, and is that correct, and so they were fishermen and dealers, correct?

MR. SCHIEBLE: There was a relationship between the fisherman and the dealer that caused the situation.

CHAIRMAN STUNZ: Go ahead, Kevin.
MR. ANSON: I am wondering, just because there’s going to be a rather deep dive in looking at the data, and the data analysts will already be in there, I’m wondering, in addition, as far as the information that would be provided in this report, if it would include kind of the breakdown, or relationship, of those incidences, or those tickets that are in that type of relationship, where there is a dealer who also has the share. I wonder if that’s information that we ought to include, or ask for, as well.

MR. SCHIEBLE: I have no objection, if you have some verbiage that you want to insert in there to that point.

CHAIRMAN STUNZ: Kevin, go ahead, if you -- I am not clear exactly what --

MR. ANSON: To further provide a comparison of the number of -- So, before the "LETC should provide a report back", before that sentence, perhaps include, in addition, the report should include incidents of mismatched reports and amended landing reports as to the relationship of the dealer and the fishermen in the transaction being the same entity or not. So the relationship of the dealer and the fishermen being the same entity or not.

MR. SCHIEBLE: What about related?

MR. ANSON: Well, I mean, related, inasmuch as that information is available, you know, and it may be that it’s seafood dealer ABC Seafood, who is owned by John Doe, and then John Doe is the fisherman, but they don’t know is John Doe is also ownership of ABC Seafood, and I don’t know, but, if they do know that John Doe is the owner of ABC Seafood, then they ought to be able to make that match.

MR. SCHIEBLE: I think that sentence, Bernie, goes before "The LETC".

CHAIRMAN STUNZ: Susan, when they get that fixed, are you going to be okay with that, as the seconder of that motion? Was your hand up for a comment, Susan?

MS. BOGGS: So, based on the conversation that Chris and Kevin were having, my understanding, Chris, is the fishermen and the dealer were two separate entities, if you will, but they had some kind of relationship, family-wise, et cetera? Okay. Thank you.
MR. SCHIEBLE: I don’t think that it necessarily has to be that way. Sometimes the fisherman is their own dealer, right, and so that should be revealed with what Kevin is asking.

CHAIRMAN STUNZ: Right. Exactly, and so we can learn more about that as this report comes together, I think. Mara.

MS. LEVY: A question, and so research all of the red snapper advanced landing notifications, and so you’re talking about the advanced landing notifications that are submitted through the IFQ system, correct, and so what you’re expecting to happen is for NMFS to provide all of these IFQ landings notifications and potential dealer reports?

I guess part of me is just wondering what we’re expecting NMFS to provide, and another part of me is thinking that we need to think about whether the information is confidential or not, under the Magnuson Act, and how much can be provided, and I don’t have the answer to that, because I haven’t thought about it enough to figure it out, and so I guess I’m just throwing that out there, but I don’t know what the implications of this are and what NMFS would say about that.

CHAIRMAN STUNZ: Chris.

MR. SCHIEBLE: To that point, I get it. I totally get it. There’s a lot of moving parts going on here, and my thought was that enforcement already has the advanced landing notifications. Otherwise, they wouldn’t know when to go, right, and so there’s got to be individual landing notifications already present within the enforcement offices, because they get told they can go or not to intercept, and that’s their choice, and then what I’m looking for, at the backend of this, in the report, would basically obscure any confidentiality problems, because it would just be numbers.

It would be total numbers of advanced landing notifications, amended landing reports, and enforcement interactions, and it’s not going to list the individual fishermen that this happened to, and we don’t need that, and we just need to know the numbers, right, on the backend, because what proportion of those have interaction with enforcement that are then amended on the backend.

CHAIRMAN STUNZ: Okay. Well, thank you, Chris. I’m not seeing any more hands up for more discussion. Is there any opposition to this motion? All right. Seeing none, the motion carries. All right. Thank you. Chris, go ahead.