GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

LAW ENFORCEMENT COMMITTEE

The Tremont House

Galveston, Texas

OCTOBER 23, 2019

VOTING MEMBERS

Dale Diaz..............................................................Mississippi
Kevin Anson (designee for Scott Bannon)...................Alabama
Dave Donaldson.......................................................GSMFC
Phil Dyskow..............................................................Florida
Susan Boggs..............................................................Alabama
Lance Robinson (designee for Robin Riechers)................Texas
Chris Schieble (designee for Patrick Banks)..............Louisiana
Greg Stunz..............................................................Texas
Lt. Mark Zanowicz.....................................................USCG

NON-VOTING MEMBERS

Leann Bosarge........................................................Mississippi
Roy Crabtree..........................................................NMFS
Jonathan Dugas.........................................................Louisiana
Tom Frazer..............................................................Florida
Martha Guyas (designee for Jessica McCawley)........Florida
Paul Mickle (designee for Joe Spragins)..................Mississippi
John Sanchez..........................................................Florida
Bob Shipp..............................................................Alabama
Ed Swindell..............................................................Louisiana
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STAFF

Zeenatul Basher.....................................................Coral and Habitat Biologist
Assane Diagne........................................................Economist
John Froeschke.........................................................Deputy Director
Lisa Hollensead.........................................................Fishery Biologist
Ava Lasseter..........................................................Anthropologist
Mara Levy..............................................................NOAA General Counsel
Jessica Matos.................................Document Editor & Administrative Assistant
Natasha Mendez-Ferrer.................................Fishery Biologist
Emily Muehlstain.........................................................Public Information Officer
Ryan Rindone......................................................Fishery Biologist & SEDAR Liaison
Bernadine Roy.........................................................Office Manager
Carrie Simmons......................................................Executive Director

OTHER PARTICIPANTS

Greg Ball.................................................................Galveston, TX
Assistant Commander Jarrett Barker..............................TPWD
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PAGE 32: Motion that the council write a letter to the NOAA Office of International Affairs and/or the Assistant Administrator for NOAA Fisheries to open communication and request an annual report regarding the specific impacts and measures taken by Mexico to address the Mexican IUU fishing issue. It would be important to note in the report the estimated take of red snapper by the illegal fleet and the economic impact that it poses against recreational and commercial fishermen in the U.S. The motion carried on page 33.

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The Law Enforcement Committee of the Gulf of Mexico Fishery Management Council convened at the Tremont House, Galveston, Texas, Wednesday morning, October 23, 2019, and was called to order by Chairman Phil Dale Diaz.

ADOPITION OF AGENDA
APPROVAL OF MINUTES
ACTION GUIDE AND NEXT STEPS

CHAIRMAN DALE DIAZ: I would like to call the Law Enforcement Committee to order. The membership of the committee is myself as Chair, Mr. Dyskow is Vice Chair, Mr. Banks, Mr. Anson, Ms. Boggs, Mr. Donaldson, Mr. Robinson, Dr. Stunz, and Lieutenant Zanowicz.

The first order of the agenda is the Adoption of the Agenda. Is there any changes to the agenda? I would entertain a motion to adopt the agenda.

MR. DAVE DONALDSON: So moved.

MR. PHIL DYKOW: Second.

CHAIRMAN DIAZ: It’s moved by Mr. Donaldson and seconded by Mr. Dyskow. Any opposition to adopting the agenda? The agenda is adopted. The next order of business is the Adoption of the April 2019 Minutes. Is there any additions or changes to the minutes? Seeing none --

MR. DYSKOW: Move to accept.

MR. DONALDSON: Second.

CHAIRMAN DIAZ: Dr. Lasseter.

DR. AVA LASSETER: I apologize, and I did summarize this in the action guide, and so the committee had met during Full Council in April of 2019, rather than as a separate committee. Thus, the committee minutes were approved by the Full Council at its June 2019 meeting, and they’ve been provided here for this meeting as background, and so they do not need to be approved at this time.

MR. DYSKOW: Move to accept as amended.

CHAIRMAN DIAZ: Thank you. The minutes are adopted. First up on the agenda, we’re going to move into the Law Enforcement Technical Committee Meeting Summary, and Dr. Lasseter is going
to walk us through that. Dr. Lasseter.

**LAW ENFORCEMENT TECHNICAL COMMITTEE MEETING SUMMARY**

**DR. LASSETTER:** Thank you, Mr. Chairman. We’re going to cover the other items that the LETC discussed at their meeting in the summary, and I’m going to highlight that the first item addresses IUU fishing, and this is the only item that we’re going to pause on for now, because that is a subsequent agenda item that you see on the Law Enforcement Committee, and so we will come back to that one.

We will go through the remaining items that have not been addressed in other committees, and then, when we come back to the next agenda item, we will cover what the LETC discussed, but we’ll begin with short presentations from both Texas and the Coast Guard, in order to provide some context for that as well, and so I just kind of wanted to lay out what we’re going to be doing here.

If we move into the LETC, Law Enforcement Technical Committee, meeting summary, again passing over the IUU, and then we did address the next two sections during the Reef Fish Committee, and so the first subject to cover would be the top of page 3, beginning with the commercial IFQ program modifications, Amendment 36B.

The council had divided these actions, and the LETC did not review the actions that we discussed for 36B in committee yesterday, because these do not have law enforcement implications. The remaining actions that will be moved into 36C, the LETC will not have an opportunity to meet again before the council addresses this, and so we went ahead and took this action to the LETC at that time. We will bring this to you again in January, when we do bring you 36C.

At the August meeting, the council modified the alternatives for the action that addressed requiring accuracy in the estimated weights and advance landing notifications, and so we took the LETC those new alternatives, and so the LETC members noted that these new alternatives would not address the behavior that they were trying to get at. They were looking to stay within that 10 to 20 percent within the estimated weight.

Therefore, they preferred that this accuracy requirement not be adopted at this time, if it’s going to allow for such a larger difference between your estimates and your actual landing weights, and they suggested that Alternative 1 should be
suggested at this time, should be adopted at this time, and that they’re going to continue to work together to gather the necessary evidence or examples of what they are trying to express, and then they will return to you at that time.

NOAA OLE added that this was a non-issue for NOAA as well, and then the LETC passed the following motion, to recommend that the council select Alternative 1 for Action 3, estimated weights and advance landing notifications, and, again, we’ll have this brought back to you when you do look at this full document again.

Moving on, they received a short update regarding the implementation of the for-hire electronic monitoring, and they also discussed the action -- It’s not a council action currently, but the issue of having a maximum crew size on dual-permitted vessels in federal waters.

A little background on this is this issue had been requested by a council member to be discussed, I believe it was a couple of meetings ago, and it is not part of an action. The council has been hearing some public testimony of people interested in having this looked at and possibly removed, this maximum crew size removed, and so I had offered to take this to the LETC to bring in front of them and get some of their feedback.

Although the council is not currently developing the action, they weren’t sure how much to comment right now, and they were more interested in taking the issue back to their respective agencies for further discussion, and they will be prepared to provide some guidance, should the council take up this issue in the future.

The next item regards the exempted fishing permits, EFPs, and state management and enforcement of red snapper seasons, and this item was requested by our Coast Guard representative, as the Coast Guard is now enforcing and monitoring these different state seasons under the EFPs, and there is some concern that, as state management is implemented, states will also be able to modify bag limits, and potentially size limits as well. Therefore, there could be different regulations, and the Coast Guard wants to ensure that they are aware of what are the current regulations for each of the states, and so they’re requesting some additional coordination.

The states talked about -- The state representatives of the LETC discussed their respective approaches for establishing the new regulations, and we’re also -- Lieutenant Zanowicz is also
interested in perhaps using the NOAA Fishery bulletins to become
aware of and maintain awareness of what are the current
regulations, but I think there’s still a little further
communication and coordination that may be requested, and I
would like to pause there for a moment and see if you would like
to contribute anything additional, Mark.

**LT. MARK ZANOWICZ:** No, but thanks for including that. As Ava
mentioned, it’s definitely going to be a challenge for us, come
next season, if Amendment 50 gets approved to enforce possibly
five different types of regulations in federal waters, and so I
definitely think that close coordination is going to be
important.

We typically, right now, get notified of new regulations via
NOAA Fisheries Bulletins, and so that would be ideal, if they’re
all consolidated in that location, and so we’re working offline
to try to work that out, but, if state agencies could keep us
apprised as well of any foreseen seasons and season changes and
bag limits and size limits and all of that, that would be
helpful as well.

**CHAIRMAN DIAZ:** I would just like to add that, during the
Education and Outreach Committee earlier in the week, I did
mention to Ms. Muehlstein that possibly having these seasons
listed on Fish Rules would be a good thing also, and so thank
you. Mr. Anson.

**MR. KEVIN ANSON:** Just to make it a little bit more widespread
and accessible, I was wondering maybe if either the council’s
website -- If they could have a page that could consolidate all
of that information, in addition to Fish Rules, or if NOAA,
and/or if NOAA, would be interested in supplying that
information, because they currently have an EFP page that
provides updated information that the states provide, and so
maybe just creating a new page, or adding on to that page, and
renaming it to red snapper state management might be an
additional thing that could be done as well, just to kind of
help make sure that we cover as many bases as possible.

**CHAIRMAN DIAZ:** Ms. Gerhart.

**MS. SUSAN GERHART:** Yes, we can definitely do a webpage like
that, similar to what we do for the EFP. As far as the Fishery
Bulletins, that might be a little more difficult, because we
don’t always get the information from the states in enough time
that we would be able to do that, and everybody is doing things
at different times. Certainly, at the beginning of the year, we
can put out what we know, but, throughout the year, it’s a little bit more difficult.

**CHAIRMAN DIAZ:** Dr. Lasseter.

**DR. LASSETER:** If I can add that I remember that one of the specific examples was when a season is reopened, and it’s making sure -- Like they may know -- The Coast Guard is probably aware, at the beginning of the season, what everybody is planning to do, but, in the event that there is remaining quota and it’s determined that it’s sufficient to reopen a season, I think ensuring that the Coast Guard is aware of those types of occasions would be very important.

Moving on, the final item was that we did notify the LETC that the council had approved their recommendations for modifying the Officer of the Year Award to be an Officer or Team of the Year Award, and so we updated the LETC for that, and we let them know that the nominations will be due by February 1, 2020. They will be discussing those at their March meeting at the commission.

The remaining items are covered by the Gulf States Commission’s Law Enforcement Committee, and so these are more the state-level items, and you’re welcome to read through those. I guess the one that I would kind of highlight is that this group is having an ongoing kind of informal discussion regarding the status of state-water FADs, and that seems to be an interesting discussion going on, and so everybody may want to kind of keep an eye on that. Those are the rest of the items from the LETC meeting summary. Should I move on into the next item?

**CHAIRMAN DIAZ:** Yes, please proceed.

**DR. LASSETER:** Okay. Thank you.

**CHAIRMAN DIAZ:** Wait. Mr. Anson.

**MR. ANSON:** Ava, I just wanted to make sure -- You talked about the IFQ program modification for estimated weights and advance landing notifications, and you brought up their motion. I just wanted to make sure that they are going to be -- The state folks are going to be going back and kind of compiling some information, because they still feel that there is a need for having some sort of limit on there, as far as the advance notification, and is that correct?

**DR. LASSETER:** Yes, and we do have Assistant Commander Barker, who could speak to that as well, here in the audience, but, yes,
they did not -- They were not comfortable with the expanded
alternatives that were now 50, 75 percent, and 100 percent.
They were wanting to stay within the 10 to 20 percent, and so
they felt that adopting a regulation that was broader than what
they were really looking for wasn’t going to get them there, and
so they preferred to hold off there, and they wanted to go back
amongst themselves and work on documenting what it is that they
are concerned about and collecting the evidence.

CHAIRMAN DIAZ: Mr. Anson.

MR. ANSON: Was there a sense that they would have that
information compiled for their next meeting, or there was no
discussion on timeline for that?

DR. LASSETER: There was not discussion. I could defer to
Assistant Commander Barker.

ASSISTANT COMMANDER JARRET BARKER: Good morning. To answer
your question, I guess we left the meeting, as a committee,
feeling like we had adequately spoke about the subject and kind
of make the request. The position of NOAA OLE is that it’s not
an issue. Essentially, that component of the fishery is a
federally-managed deal, and so, given that, if the council
didn’t feel like it was an issue, and NOAA OLE didn’t feel like
it was an issue, we were willing to table the topic.

In the event that we did come across some specific examples,
each state didn’t have a specific plan to prepare documentation,
but it was something that we were going to just track
internally. If the issue came back up, we would be prepared to
demonstrate what we had observed.

CHAIRMAN DIAZ: Mr. Anson.

MR. ANSON: But I guess, to understand the flavor of the
conversations that were going on prior to making that motion,
since you all enforce in federal waters the fisheries there, and
you’re acting in partnership with the federal law enforcement --
I mean, is there a sense that there is a problem and need?

I mean, that’s what the council had put into the document, was a
motion, or an action item, to address that issue, because there
was -- As I understand it, there was a perception and a need
amongst the state law enforcement officers to address maybe some
overreporting, or underreporting, issues, as the case may be.

ASSISTANT COMMANDER BARKER: Well, we felt that every state,
when we originally discussed it, had experienced violations
where either boats were completely failing to make the three-
hour notification, and they were going to land illegally a large
number of fish, or there were examples of making the three-hour
notification and then off-loading inaccurate amounts, and so
there would be smaller portions of fish that are going under the
table.

Within the business model framework that you have for that IFQ
landing, it seemed very reasonable to close the window of
inaccuracies there, so that the boat owner knew that, if he was
checked after making a hail-out, he needed to be within a range
of accuracy.

We felt that was reasonable enough, and it was easy to do,
knowing -- If you have a boat with the volume that the capacity
of your boat is, and based upon what it’s carrying at that time,
you could do this, and so, without creating an undue,
unreasonable request, we could close that window, but it was our
feeling that OLE didn’t think it was a big area of exploitation,
and the council didn’t appear to really feel that it was, and so
we’re comfortable doing the work as it is. It’s just what is
the comfort level of these management agencies that are
overseeing that fishery.

MR. ANSON: Thank you.

CHAIRMAN DIAZ: You can proceed, Dr. Lasseter.

ILLEGAL, UNREPORTED, AND UNREGULATED (IUU) FISHING REPORT

DR. LASSETER: Thank you, Mr. Chairman. Moving into our next
agenda item, this is regarding IUU fishing, which IUU stands for
illegal, unreported, and unregulated fishing. If we could call
up this slide, and I sent a short slide yesterday that I think
is much more clear than the action guide kind of laid it out.

There are a couple of acts that pertain to IUU fishing at the
federal level, and there’s been various modifications to these,
and where we’re at now, and this is the simplest way that I
could kind of put it together, is there’s a biennial report that
comes to Congress, that’s a report to Congress, and there’s been
three of these reports so far, 2015, 2017, and 2019.

In each of those three reports, negative has been identified as
-- Mexico has gotten a negative identification. In the 2019
report, they did receive another negative identification.
However, also in this 2019 report, they received a positive
certification determination for their negative identification in that 2017 report, and so, in this report, they received a positive determination saying, okay, we have seen some progress in various efforts by Mexican nationals and Mexican enforcement officials, and yet there are still ongoing problems.

The additional part, we did talk about a year ago, and there was an addendum to the report to Congress that came out in April of 2018, and that provided the positive certification to Mexico for their initial 2015 negative identification.

Where we’re at now, with this report that just came out, is our government said that basically Mexico, yes, has made some progress in regard to this previous determination, but they are, once again, being negatively identified, and so the LE TC has talked about this, and the council has talked about this, and I understand that this is an issue that people are very concerned about.

Before I go into the LE TC’s discussion, we wanted to go ahead and provide an opportunity for both the Coast Guard and TF WD, using their respective presentations that would normally be discussed later in the agenda, to kind of provide some context for the current situation, and so I will pause there.

CHAIRMAN DIAZ: Thank you, Dr. Lasseter. We’re going to get these presentations by Lieutenant Zanowicz and Assistant Commander Barker. Lieutenant Zanowicz, are you ready to go first?

LT. ZANOWICZ: Yes. Thank you. I’m ready. When I noticed that IUU fishing was on the agenda, I realized that it had been a little bit of time since I had done a formal presentation for the council discussing the issue at-large, and so, while I’ve definitely tried to provide regular updates to the council on what we’re seeing, I haven’t really provided a comprehensive look at the issue to the council in a while, and I know we have some new council members since the last time it was done, and so I thought it was prudent just to provide some context to the issue. A lot of this information will probably be review for some of the council members, but hopefully it will be good information for everyone.

Just as a quick overview to the IUU fishing and Mexican lancha threat in the Gulf of Mexico, these vessels typically operate out of Playa Baghdad, Mexico, which is just south of the U.S./Mexico border. They are known to operate north of the maritime boundary line in the U.S. Exclusive Economic Zone on a
regular basis. They are primarily conducting illegal fishing, although we occasionally see them involved in drug smuggling as well.

We call these vessels lanchas, which I believe is Spanish for speedboat, and the vessels are twenty to thirty feet long, with a single seventy-five to 200 horsepower outboard engine, fiberglass or wooden hulls. They are typically crewed by -- It says two to four individuals, and we’ve actually seen as many as five onboard, and they usually fish with either longline or gillnet gear. Longline gear is a lot more common, though we do see them with gillnet gear occasionally.

Typically, these vessels are targeting red snapper and shark. Red snapper is their preferred fishery. Roughly 80 percent of their catch is red snapper, and the other 20 percent is shark, and then a handful of other species we caught as well. Their typical operating procedure is they will depart from Playa Baghdad, Mexico and transit northbound into the U.S. Exclusive Economic Zone.

They will deploy their gear and mark it on their GPS and transit back southbound and let their gear soak for five to six hours, and then they’ll come back north and recover it with the catch, and then they will return south.

If they do encounter an LE presence north of the maritime boundary line, either before or after deploying their gear, they might just not recover it and just leave it out there floating, or, if there’s inclement weather, that obviously impacts the behavior as well.

One thing to note is that there really are four stages of when we can interdict them, when they are transiting northbound to deploy their gear, when they’re transiting southbound after their gear has been deployed, when they are transiting northbound to recover their gear, and then when they’re transiting southbound after their gear has been recovered with catch onboard, and, of those four stages, only one of them they will actually have catch onboard, and that will play into what I’ll be talking about here in a minute.

This graph here shows the number of detections and seizures by the U.S. Coast Guard over the last ten years, and you can see Fiscal Year 2019, which just ended on September 30, was a record year for us, in terms of interdictions. We interdicted seventy-four Mexican lanchas, as compared to 2018, which was our previous record of sixty Mexican lanchas.
Right around 2010, you can see this problem really started increasing, and, since then, in the last few years, we have been detecting roughly 180 per year. That dip in 2017, we actually don’t believe that is due to a decrease in lancha activity. There was some shifting priorities around that time, and so there weren’t as many Coast Guard overflights, and the Coast Guard overflights weren’t occurring at the same time as they are now, and so we think that was actually due to a difference in enforcement behavior rather than lancha behavior.

This slide here shows the catch on the seized lanchas, in terms of the number of fish, and so you can see that, last year, we had 4,354 red snapper and 453 sharks, which was comparable to Fiscal Year 2018.

This breaks down the catch by pounds. Starting in Fiscal Year 2019, as many council members know, we started separating the catch and weighing it separately, and so the total for Fiscal Year 2019 was 21,405 pounds of red snapper and 3,481 pounds of shark, totaling 24,886 pounds of catch.

Important to note, as I mentioned, is this isn’t necessarily indicative of the total catch by lanchas, by any means, and we interdict them at all stages of their transit, and so only one of those four stages will they have catch onboard, and, as I will talk in more detail here about in a second, they -- As you saw in the previous slide, we only interdict roughly a third of the lanchas we actually detect, and, based on our best information right now, we only detect roughly 5 to 15 percent of the total lanchas that are out there, and so, in terms of the amount that we actually detect, it’s a small fraction, and, in terms of the amount of fish they actually catch, we don’t know, but it’s probably considerably more than we actually seize.

This just talks about lancha case disposition, and so, after the lanchas are seized by the Coast Guard, if they’re not reclaimed by Mexico, they are destroyed after forty-five days. Historically, we have not had any requests from Mexico to reclaim these vessels.

We record the catch, in terms of the amounts and weights, and then we dispose of the catch at-sea. The crew is transferred to Customs and Border Patrol for deportation to Mexico. Due to international law, they are unable to be incarcerated strictly for fishing violations. However, we do put a case package together, which we send to Mexico via Coast Guard Headquarters, for them to prosecute.
This differs from how we typically issue violations if we have a domestic case. We will typically put that case package together and send it to NOAA for prosecution, but, because these are foreign citizens, we send it to Mexico.

We keep a repeat offender log of the individuals we’re seeing, which indicates that some fishermen have been interdicted more than twenty times, and, as you saw from the graph of historic interdictions and detections, it definitely does not appear that this problem is going away, and there is no sign that lancha activity is decreasing on the maritime boundary line. That concludes my presentation, pending any questions.

CHAIRMAN DIAZ: Are there questions for the Lieutenant? Dr. Stunz.

DR. STUNZ: Thanks, Lieutenant, for the informative presentation. I’ve got a couple of questions for you. One is you showed a picture of a lot of sharks, hundreds of sharks, on the dock there in one of your things, and I was looking at the numbers that you have for sharks, and it seems kind of low, because I hear local reports on a real frequent basis of gillnets that have thousands of sharks in a single net that are recovered, and so is that Texas Parks and Wildlife, or are those numbers are not in here? I am trying to figure out why the --

LT. ZANOWICZ: The catch numbers that I showed were strictly Coast Guard.

CHAIRMAN DIAZ: Dr. Stunz.

DR. STUNZ: Sort of a follow-up or next question to that, and you talked about making positive enforcement efforts there in Playa Baghdad, but I have heard, from others, that there is basically no local enforcement there, because they can’t even -- The local, on-ground, I guess, enforcement can’t even get into that area, because it’s so heavily controlled by the cartel and that sort of thing, and so, if you guys aren’t getting them, there is no hope that they’re going to be getting them in Mexico, but is that true?

LT. ZANOWICZ: I would say that’s an accurate statement. I guess we’ll talk a little more about the specifics when we get to the LETC summary, but it definitely seems as though -- When the LETC discussed this, I think there was concern that, despite claims that Mexico is making, it doesn’t seem that we’re seeing any decrease in activity, and we are still seeing large numbers
of repeat offenders, sometimes more than twenty times.

CHAIRMAN DIAZ: Dr. Shipp.

DR. BOB SHIPP: Could you go over one more time what the
disposition is of the seized lanchas with outboard motors and
all the rest of it? It seems to me that those are pretty
valuable assets, and so --

LT. ZANOWICZ: We have an international agreement with Mexico
that was signed about fifteen years ago, and that specifies
exactly what we have agreed to do with the lanchas after we
seize them, and so what we’ll do is we’ll tow them back to our
Station South Padre Island, and we’ll keep them in -- We call it
the lancha boneyard, and it’s essentially a vacant lot there,
guarded by the Coast Guard.

We keep them for forty-five days there, to give Mexico a chance
to reclaim them, if they desire. We have never had a request
for the owner to reclaim them. Then, after that forty-five-day
period is lapsed, then we process them for destruction. Just
due to both the agreement and concerns with liability, we can’t
donate them or do anything else with them.

CHAIRMAN DIAZ: Ms. Bosarge.

MS. LEANN BOSARGE: Thanks for the presentation. For some
reason, I guess, in the past, mainly we have focused, kind of
like what Dr. Stunz was saying, on the gillnet side of the
house, and I was reading this report that they put in our
briefing book, the report to Congress on all of this, and I was
surprised that longline is actually the predominant gear type,
and that’s what is mainly used.

It made me think a little more about the endangered species that
you encounter with longlines, and it made me think about
turtles, and then, as I read further through that, a lot of
these lancha camps are actually right there in the same area
where our turtle nesting beaches are in Mexico for Kemp’s
ridley, and we’re seeing some changes in that, and I just
wondered -- We do have data on what bycatch looks like in all of
our different fleets for those types of gear types, in regard to
turtles, and so have you all seen any turtles?

I guess, usually, the catch is already onboard, and you’re not
usually getting it straight out of the water, with a fish or a
turtle still on the hook, but what are you seeing in that
regard?
LT. ZANOWICZ: Onboard lanchas, I can’t recall any cases where we have had turtles. We do recover gear from the water, when we find it, and I cannot recall any cases in that regard either where we have found turtles onboard. However, I know there have been cases where there have been turtle wash-ups in Texas, and that is dead turtles coming onto the beach, with gear that seems to be of the same sort that we find out in the water.

CHAIRMAN DIAZ: Dr. Stunz.

DR. STUNZ: I have a different comment, but, to follow-up on the turtles, our office gets calls all the time about -- There is seventy miles of remote seashore there, and turtles washing up that clearly have evidence of being caught in -- There are hooks still in their mouth that have been cut off and that sort of thing, and so I don’t know that they retain them. They probably just cut them off, but they wash up on the beach routinely there, and maybe our local enforcement would, obviously, know a lot more than that.

My comment that I wanted to make had to do with the certification, and, at the next meeting, I will give a better report. I represent us now on the ICCAT committee, and, by the way, this IUU is a tiny drop in the bucket, in terms of what is happening broadly, which is sort of sad, but, nevertheless, it’s very important to us here, with the snapper thing, but the certification --

So Mexico was recertified, which people were hoping that wouldn’t happen, because obviously that would have affected their ability to trade and that sort of thing, but there is this sort of middle ground, and so you can be recertified, but you go on the naughty list or whatever, and so you’re still there, and you have to do a variety of things, which I will get the details of that for my report next time, but you’re monitored, and you have to communicate with NMFS about what you’re doing and all sorts of things, but they will be certified then until the next reporting, which is like 2020 or 2021, and I don’t remember offhand.

The problem is I don’t see this going down, and then I’m hearing reports of even -- So Mexico writes a letter that they’re doing things, but then I hear reports on the ground that their local wardens can’t even get in there to enforce anything, because of the cartel control and that sort of thing, and so I don’t know if this is just a paperwork kind of thing, or is anything really happening, and, according to what you say, Lieutenant, it’s not
headed in the right direction. I am just frustrated at things that we -- It just seems like we just can’t really do anything here to curb this problem.

CHAIRMAN DIAZ: Okay. Next up, we’re going to have Assistant Commander Barker is going to give a presentation from the Texas point of view.

ASSISTANT COMMANDER BARKER: This presentation really showcases our partnership with National Marine Fisheries and NOAA OLE, as far as our participation and role in the federal enforcement. Then it highlights or will touch upon some of the IUU fishing and some of the other aspects, to just kind of show, again, where there is a little bit of an exposure to the loss of resources.

I wanted to set up the framework for really how we do our business as a state agency, because I really think that’s a good awareness for all of you as you are contemplating laws and writing statutes that are enforced by a state agency, to a large degree, be it Texas or Mississippi or Alabama or Florida, any location.

This is really what our state effort looks like when we’re checking recreational fishermen. You have the gentleman there on the left of the slide, and he is actively fishing, and we don’t really check too many vessels that are actively fishing. It’s not a popular aspect for the fishermen to have a law enforcement vessel motor in to where he is set up adrift and then we run through a check and then we motor out. It detaches from their experience of the day, when we are checking them mid-trip, during that fishing experience.

Typically, what we do is in that middle slide, and we’ll set up at funnels, where vessels are returning from a trip, recreational and commercial or whatever, but the guys there on the right are where we like to make contact with a vessel. They have either completed their trip, or they’re in transit, and we’re not going to disrupt their activity right there at that time, and so it’s -- That is really how we set up our patrol models.

Then, moving into -- As we get closer to touching on these federal issues and the federal enforcement, we’re making these stops for water safety inspections. The vessel is underway, and they are not actually fishing, but we’re doing a water safety inspection.
During that course of that inspection, we engage them in
conversation, and we’re looking at what resources they have
onboard, and so that allows us to check for the proper license.
Most things are federally permitted, when they’re coming back in
through the jetties, and so we’ll look at their permits and see
what kind of activities, and then, again, we’re doing bag limit
checks at that point.

This is kind of what that looks like as they’re coming in. We
really like these jetty inspections, because there is a reduced
chance of vessel damage, either for our patrol boat or for the
compliance inspection that we’re doing on the other. We’re not
going to damage their vessel, and we can do a more thorough
inspection.

They have, again, completed their activities, and so we know
exactly what their intent was to retain, and we don’t have any
arguments of, well, I just caught that, and I was going to turn
it loose or anything like that. The vessels come back in, and
they have it, and the resources are on ice, and it allows for a
good inspection.

Again, we can actually, dollar for dollar -- Patrols are very
expensive, but we, on any given day, probably check 90 percent
of the vessels that went out that day, and they have to come
right back to the same jetty, and so we’re going to be able to
do more vessel checks.

Then we have cell service there, and we have radio service, for
verification of identities. A lot of times, people don’t have
the required paperwork and stuff onboard, and then one problem
to this is there is a little bit less of a check that goes
towards federal compliance, because, at this point, they are in
state waters, and they have to prove where the activity took
place, if we suspect that there is a federal violation.

Recently, we have -- In these locations, this is kind of what we
see when we come across a bag limit violation. What you’re
looking at is the charge filed was probably headed and tailed
fish, but clearly they intended to violate the bag limit for red
snapper, and so what they will have is their limit of fish on
ice in a compartment, and they’re hoping that that’s the extent
of what you check, but, when you look at the other coolers and
things that are onboard, often you discover filleted fish, and
so these anglers clearly intended to violate the bag limit for
red snapper.

Again, these are very successful patrols, and they don’t
directly -- Do we know how many of those fish came from federal 
waters or how many of the fish came from state waters? It’s 
really a moot point. I mean, they’re over the limit, and 
they’re going to get a violation, whether it be state or 
federal. We’re able to address the bag limit violations there.

On the Gulf open water, you do get some different aspects to 
some of those inspections, and we’re able to check specifically 
for what the angler is fishing for, and so some of the hook 
violations, if you’re going for non-offset, non-stainless-steel 
hooks and different things, we’re able to really kind of 
pinpoint what is somebody using and what they have onboard for 
gear inspections.

Then, under our JEA -- I will touch on that in additional slides 
down the way, but, anyway, this reduces the number of checks per 
patrol. We don’t have to hunt these vessels down one-by-one, 
and, with radar and technology that we have today, we can find 
them and locate them, but you’re talking about hundreds of miles 
to locate these individuals as you move from different rig and 
reef locations, and there is a little bit higher risk of damage 
and injury to the vessel and the officers and different people 
as you’re boarding from one vessel and going across to another 
boat, and then they’re very expensive, when you have the fuel 
run for these.

This is what one of those patrols looks like, just recently. It 
was a JEA patrol that went out, and they targeted the white 
squares, which represent either an artificial reef or a rig 
location there off of Matagorda Bay. They went to the first two 
locations, and they did not locate any vessels. They got to the 
third location and located two vessels, and the bubble in red 
was the result of a violation that they located, and so it was a 
successful patrol. We successfully checked, in this instance, 
for a season closure for red snapper, but you can see that we 
only encountered two vessels on the patrol.

Under our Gulf enforcement contract, we are targeting turtle 
excluder device inspections on shrimp vessels, and we have a 
reef fish enforcement component, and we have an HMS coastal 
pelagics component. We have an IFQ enforcement component and 
the IUU enforcement component at the border crossings only. 
We’re not doing any IUU direct enforcement on the water. That 
is not something that is currently funded under this federal 
agreement.

In our turtle excluder device, there is 367 miles of coastline, 
and we’re checking vessels inshore and offshore. There is both
and state and federal prosecution for violations that are discovered for that fishery. Really, ultimately, what we’re trying to do is reduce the number of turtle strandings. We see a high level of compliance from the shrimp industry on our inspections for turtle excluder devices, but this was last year’s, last spring’s, turtle strandings on the Texas coast. You can see there in the blue were the May strandings, and then the April strandings.

If you notice, the lower coast there, where it kind of coincides where some of the IUU fishing takes place and the Mexican fleet frequently fishes and sets gear off of the Texas coast, and you see a higher number of turtle strandings. I would note, also, that time of the year, that state waters for shrimping is closed, and so there are no shrimp boats there, and so you can’t point the finger directly at the lancha fleet, but you certainly couldn’t point it at the shrimp fleet at that time.

Anyway, it’s just kind of setting the stage for that IUU fishing in the Gulf does have a pretty significant impact on the resources, and many of those turtles that wash up do have gillnet entanglement signs on them, and they also have hooks, where they have been on the longline and they cut them. From our experience at the state level, the lanchas that we have encountered -- Typically, when the Coast Guard catches one, we will go to the station and kind of view jointly what they have onboard, but they don’t retain the turtles. They are not marketing them. They are just incidental catch from the use of the gear.

Again, for this reef fish enforcement -- We’re kind of done talking about the turtle stuff, but, for the reef fish component under the JEA, we’re checking vessels offshore and verifying their catch and verifying their location and documenting the vessel and the people onboard, and then we’re creating a case report that is then turned over to National Marine Fisheries, or NOAA OLE, actually.

Under this, I guess I would touch on the idea that we are moving to state management, and so the state sets the seasons and bag limits, and then we inspect and enforce that, but there’s no state court that has jurisdiction to enforce those regulations fifteen miles offshore.

The courts’ authority, in the State of Texas, stops at nine nautical miles, and so we will have to refer those cases and violations, even though it was a season and bag limit set by the State of Texas -- We still have to refer that case to federal
prosecution for follow-up if it occurred or if we documented the
violation in federal waters, and so it’s kind of an extra little
layer in there that maybe wasn’t completely seen in this, but
we’re able to accomplish the enforcement of all of this.

The reef fish inspections, they really target the recreational
fleet, and that’s the idea under this JEA component, is that
we’re going to go check these recreational fishing fleets that
are out there, and that means that -- Most of those boats leave
at six in the morning, and sometimes at noon, and they’re coming
back at six in the evening, or ten o’clock in the evening, just
after dark in the summertime, but it really doesn’t put us out
there to interact with the lancha fleet.

By the time we’re coming in and our patrols are ending, that’s
when the lancha fleet is starting, at dark, and they’re making
the run north to begin fishing and setting gear, and so they
will set their gear, and then they move off away from the gear,
and they’ll free float and let the gear soak, and then they will
go back and pick it up, and so, again, we’re not really out
there to interdict and come into these under this JEA contract,
as it stands, and it’s a good contract, but this is the focus
point of it on the recreational fleet.

Again, these are the guys, and it’s the same vessel, and this
was a state capture that we brought in there to the Coast Guard
station there at South Padre Island. They can store -- The box
underneath the fuel cell there will hold anywhere from 500 to
1,500 pounds of red snapper, and they put it on ice. Depending
upon the time of the year that these guys are fishing, it
dictates how much fish that they can bring back, and so they
have to keep that catch edible, but they’re fishermen, and, just
like everybody else, they’ve got to have it on ice.

In the summertime, they’ve got to get it in the box, and then
it’s co-mingled with the ice that’s in there. In the
wintertime, overnight, with cool temperatures, they don’t need
ice, and so they can have heavier catches at different times of
the year, because they’re going to make a run straight back in
and unload it, and so it will make -- On an average night in the
Gulf, it might be fifty degrees out there, and so it’s plenty
cool for that fish to sit.

Again, that vessel, that’s the fish that they had in that box,
and so you can see every vessel is a significant number. The
table there to the right is the same table that you saw from the
Coast Guard’s presentation. Just using their numbers from 2018,
they apprehended sixty vessels. If you averaged it to 800
pounds of red snapper, that’s 48,000 pounds of snapper that we
know went right back into the Gulf, as far as a wasted resource.
Some of it is donated, but, for the most part, that fish is just
returned to the sea and goes back into the resource.

Of the 179 vessels that were detected, if you applied that same
800 pounds to it, that represents 143,200 pounds that were
removed from the Gulf, or from really the recreational fishery
and removed from the commercial fishermen that land this
resource legally.

The Texas recreational allocation is 241,000, and so you can see
that just what we know -- Like, from Mark’s presentation, they
are only detecting around 15 percent, and so, if you were to
extrapolate that number to what the true incursion rate would
be, the take from that fleet from the United States, from the
recreational fishermen and from the commercial fishermen, is
extremely significant.

Essentially, this is the location where those vessels are
fishing. They are transiting back to Playa Baghdad there, where
the three boats are on the shoreline, but what we observe in
Texas, when we do IUU inspections at the port of entry, is a lot
of that fish comes right back into the United States through
Brownsville, Texas and through McAllen, and it goes from the
beach right onto a reefer truck, and it goes to Houston. Then,
from there, it’s exported all over the country. Once it’s
imported back in, it’s legally introduced into the United States
market, and so, essentially, they are taking our fish and then
selling them back to us.

Moving back to the JEA components, we have an HMS component,
where we’re patrolling and checking vessels for their HMS
permits and those species of fish. Again, that component
primarily focuses on federal waters. Historically, we have done
some dockside inspections for this, but the anglers that you see
in that fishery are really kind of the tournament fishermen, and
a lot of those folks -- It’s a catch-and-release. I would say
that most of those fishermen, from what I have observed
personally, plus what the officers see, is it’s a catch-and-
release.

Some of them do come into the tournaments, where they have
killed the fish, but, again, that Mexican lancha fleet that
comes out of Mexico has a lot of incidental catches. At one
time, the target species, when I first started my career in
2002, and I was in the field, and I was stationed there at South
Padre Island, and the target species was sharks at that time.
That was the driving force, and they have since moved to red
snapper. Sharks, you see, are more of an incidental catch at
this time, but then you also see -- I can’t point to everybody’s
screen, but there is three red drum there. They do take some
red drum out of the Gulf. Again, that’s not the target species,
but it represents some of that incidental catch.

We have seen a few more gillnets, here recently, show up in
state waters, right off of the lower coast, and a lot of times
we’ve seen that, and maybe they’re catching mackerel or
different things, but, to some degree, they have to catch bait,
so that they can have bait for the red snapper fishing, and so
some of that is how that’s utilized.

We do some IFQ dockside inspections, and there is three target
species that the vessels are landing in Texas. I think we have
spoken of our concerns about the underreporting of the
commercial harvest, but, again, I don’t want to belabor that
subject, and I think we have adequately discussed it, and then
there’s a lot of other issues within the IFQ that you already
discussed this week, but we do have that component where we do
those inspections under that federal agreement.

Then we do our IUU inspections. Right now, the contract -- How
we pair with NOAA OLE is we do these inspections at the
international border locations where resources are imported from
other countries, and so there is other IUU countries other than
just Mexico.

There is different resources other than red snapper that are
exploited, but we put SAFE measures on to control, but we really
like this partnership for these inspections, and we discover a
lot of state violations, where, if you -- It’s not the best
picture in the world, but the truck there with all the bags on
the tailgate, those are oysters, gallon bags of oysters, that
are being imported from Mexico.

They don’t have an open season in Mexico on the Gulf side, and
they don’t have any certified shippers or packers, but, once the
market and the value of oysters in the United States gets to a
certain level, then people are going to try to find a cheaper
source, and that’s what they’re doing in this situation, and so
there is no health and safety standards around these oysters.
These come in and get introduced into the market.

If an individual gets sick from one of these foreign oysters,
that could shut down the exports from Texas, if you have too
many -- If you’re not following your disease control measures in
the state.

Then what the OLE is looking at is the packaging and labeling
and the imports of different species of fish that come into the
United States, and there is labeling rules. This is kind of an
accountability measure that’s put in place that, if somebody
could import a really cheap, less desirable fish, once it gets
into the United States, they repackage it and relabel it, and
then now it’s sold and served as red snapper. It really
undercuts our domestic market, and so ensuring quality within
the invoicing and within the packaging really kind of helps our
local fishermen get the best price that they can for their fish
domestically.

Then part of what you’re looking at there is they say that
they’re importing red snapper, and you have to unload the truck
and look under the ice to see what fish are there, and so this
is what we’re doing in this slide here, and it’s time consuming.

To unload a truck, you have to maintain the ice that’s on that
truck, and we don’t have an ice machine at the point of entry,
where we can just dump the box out and then re-ice it for them,
and so it’s kind of difficult. You have to have a method of
putting the fish into a new box and transferring the ice, and it
takes a lot of manpower to do those.

Here you have the IUU circle, and you’ve the fishermen that are
catching the stuff, and they have all kinds of requirements and
regulations they have to comply with, and then you have the
imports matching it to the invoices, as it comes into the United
States, and then is it properly labeled at the point of sale
location at HEB, and is it properly labeled at a restaurant, and
that’s kind of what we’re doing there, but it doesn’t -- This
IUU, a big component of it is it does happen in the Gulf of
Mexico.

Our neighboring country is fishing illegally, and they’re
underreporting their catch, and they are undermining our
fishermen here, and so, from a SAFE standpoint, we would like
expand and have more support from our JEA contract to address
that. We could transfer and move some resources there, but
every agency is tight for funding, and you have to utilize those
resources where they’re intended, and, right now, they are not
directly focusing on that IUU fishing fleet. If you have any
questions, I would entertain those now.

CHAIRMAN DIAZ: Are there questions for the Assistant Commander?
Dr. Mickle.

DR. PAUL MICKLE: Thank you. That was a great presentation, and it was very informative. My question is I think, to both you and Lieutenant Commander Zanowicz, is it seems like there is evidence, from IUU fishing, of the turtle, I guess, interactions with the IUU gears.

My question is why aren’t they retaining that catch? It sounds like there is evidence that, when you find intercepts of the IUU, that there no turtles onboard there or anything, and so why aren’t they retaining the turtles? Is there an ESA platform for arresting the individual if there are turtles intercepted or not? Why are they -- If you’re illegally fishing, you might as well go the whole way, right? That’s my question.

ASSISTANT COMMANDER BARKER: Well, that’s a good question. I don’t know that I truly know the answer to it, other than I don’t think that there’s truly a market right now for turtle flesh or turtle resources, and there may be some one-off unique collectors that might have that stuff, but I don’t know that, anywhere here close by, that there’s a true market for it, and so the fishermen are just interested in the dollar. The turtle comes up and he’s dead, and it stinks, and so they’re going to get rid of it, and it could foul, I guess, so to speak, if he was to put it in the box on ice with the fish.

CHAIRMAN DIAZ: Dr. Mickle.

DR. MICKLE: From that answer, it sounds like there is no illegal market for these species, these protected species, and so I would say that’s good evidence of that, because you really don’t know, because the black market is so convoluted, but it sounds like there is no product and drive for it, which is --

ASSISTANT COMMANDER BARKER: Correct. I don’t think there’s a direct drive for turtles.

DR. MICKLE: Thank you. That’s valuable.

CHAIRMAN DIAZ: Ms. Bosarge.

MS. BOSARGE: It was an excellent presentation, and it was very diverse. You touched on a lot of different things. I was excited to see the border checks and actually with the IUU checking that paper trail. That’s very important to us from the shrimp industry, when our government bans -- When they put import alerts on certain companies and certain countries and
things like that, and that paper trail is how you tell if something is being trans-shiped, and it’s coming from somewhere it’s not supposed to and going through Mexico to try and get into this country, and so I appreciate that. Thank you.

ASSISTANT COMMANDER BARKER: Absolutely.

CHAIRMAN DIAZ: Dr. Crabtree.

DR. ROY CRABTREE: Thank you for presenting that this morning. How many vessels do you have that are capable of doing offshore patrols outside of nine miles?

ASSISTANT COMMANDER BARKER: We have thirteen SAFE boats and, on that lower coast, where that IUU fishing is, there is probably six. Roughly about half of the fleet is on the lower coast, and then we have two sixty-five-foot vessels, but they have reached the end of their life.

We have commissioned the building of a new eighty footer that is supposed to come online, and we’re hopefully taking delivery this February, and so that’s going to expand this, and that vessel will be put on the lower coast, but we would -- We still have a need for replacing the other vessels, so that -- We would like to, and we see the need, for a presence in the Flower Gardens, a need for the presence in some of these other locations.

We do have some trips this coming year scheduled to look for compliance at the Flower Gardens, but that means, before we get there, before we ever start that trip, we’ve got to patrol with that vessel from the lower coast and take it to Galveston, and then we’ll start the Flower Garden trip from there. We would like to expand and replace that other vessel, and that will be something that we’re looking to do certainly in the near future, because it’s close to thirty years old, if not older.

DR. CRABTREE: So you’re spread pretty thin.

ASSISTANT COMMANDER BARKER: Very thin.

DR. CRABTREE: You have a big coastline.

CHAIRMAN DIAZ: Dr. Stunz.

DR. STUNZ: Well, thank you for that informative presentation, Commander. I wanted to go back to the snapper and what Mark presented as well and that 179 detection number. I guess you
guys, Mark, are detecting, but I was trying to get my head around the magnitude of the problem and the detections. How good are you at detecting these?

In other words, how many of those come in at night and leave and you just -- I know you may never know, but what’s your gut feeling, because, if you look at what the Commander just reported on those numbers, I mean, that’s high for what you know about. What we don’t know about, I think, is where the real problem lies.

LT. ZANOWICZ: Obviously, the only ones we know for sure about are the ones we see, and that’s that 179. However, we have done studies in the past, obviously estimating the total number of incursions, and we did a recent study that -- The draft report was just completed this month, and we’ll hopefully have the final results of that to present to the council at the next meeting, but estimates of that are roughly that we detect 15 percent of the total lanchas that are out there, and so that 179 number is roughly 15 percent, by our best estimates.

We have had other data sources that indicate that maybe 15 percent is a little on the high side, that maybe our actual detection rate is probably more on the 5 percent side, and so I would be comfortable saying between 5 and 15 percent is probably our detection rate of lanchas.

ASSISTANT COMMANDER BARKER: I would like to follow-up with that, if I could. Some of the challenges with detecting these vessels are -- They have some great assets, with flyovers and with eighty-seven-foot vessels with great radar systems, but, given the fog that is on the lower coast, the sea state and different things that come into play, it becomes very challenging to verify -- You may have picked up a target, but it could have been a recreational boat, and so they go to great lengths to -- When they say that they detected 179, that was 179 known and verified that that was a lancha and not a mistake in a thirty-foot go-fast that just happened to be fishing.

CHAIRMAN DIAZ: Mr. Swindell.

MR. ED SWINDELL: Thank you very much for your presentation, also. I am looking at you have had a steady increase of lancha detections and seizures, from this bar chart map you have here, since 2008, and you have a chart here from 2008 to 2018, and is it -- Why has there been an increase in this length of time? It seems like a steady increase up to about 2015, and have you always had enough resources to be out there in 2008, or has this
just been a great increase suddenly in these years from Mexico?

LT. ZANOWICZ: At least from the Coast Guard side, I would be speculation, in terms of ten years ago, in 2008 and 2009, if the problem was the same as it is now. We definitely had less detections then, but I think, with confidence, I can definitely say that we’re not seeing any decrease in the problem.

CHAIRMAN DIAZ: Two more questions, and then we’re going to wind it up, so we can get to the next committee. Dr. Porch.

DR. CLAY PORCH: Thank you. Thank you, also, for the presentation. In past years, as you mentioned, the Coast Guard came up with an estimate, and I think it was something around 500,000 pounds of red snapper, and, to do that, of course, they had to come up with the probability of intercepting a lancha, and so you looked at the detection range for each of your vessels and aircraft, et cetera.

Since then, you said that, I think, the Coast Guard is not in the business of catch estimation, and I get that, but is it possible to get that sort of information, and then we could expand up these estimates on a year-to-year basis?

LT. ZANOWICZ: Our data analysis branch just finished up that draft report this month, and I was hoping to present it at this council meeting, but it wasn’t ready yet. Once that report is finalized, I can definitely provide that to the Science Center for use, possible use, in future red snapper stock assessments, and that’s definitely our intent.

CHAIRMAN DIAZ: Dr. Stunz.

DR. STUNZ: Commander, this is unrelated to what you presented, but, when you were at the podium earlier during this meeting -- I was hoping that you could just briefly comment, at least on the Texas perspective, of enforcement of the double limit amendment that we’re considering now for the headboats, because my understanding is, at least with that JEA enforcement, that it has to do with at-sea enforcement versus the dock, and then, also, there’s some problems that have come to light about day enforcement on an hourly basis versus, for example, exactly when you leave and when you get back versus a daily, a true twenty-four-hour time period kind of thing, and I just was wondering if, just briefly, you could comment on how does that affect your operations, in terms of enforcement.

ASSISTANT COMMANDER BARKER: I am going to advance through a
couple of these slides here to kind of help answer that. In my presentation, I said that we typically encounter vessels at two different locations in the trip. Here, they’re coming back through the jetties.

Under this proposed consideration that you all have about the thirty-hour and catching the first day’s limit in the first day, but it’s an overnight trip, to really kind of finalize the inspection of that, and really check for compliance, this needs to happen at the dock, and so that is where the fish are finally being landed, and that’s where you’re totaling out the thirty hours.

There will be very little enforcement for that unless you change some of the funding of how we execute the JEA contract, because, typically, we do these inspections on the water, underway, at one location or another, but those dockside inspections, where the vessel comes back and they land, we would have to dedicate some sort of other resource just to do that, and so there is that problem of just how it’s executed, but, right here, we wouldn’t -- They may be coming in, and who knows at what hour of the trip they’re in, and maybe we could verify that, okay, they’re at twenty-seven hours out, and it will take them two hours, and we would just give it to them, theoretically.

The other component of this is where we’re checking them at-sea, out there, and you’re going to be looking at potentially two days of resources on that first day, if this is when we encountered that vessel, and we’re probably never going to come back in touch with that vessel, but, in every one of these instances, we’re probably -- If it’s a charter boat/headboat, we’re probably going to look at it and say, okay, you’re allowed two days at this point in your trip, and then, if we verify that you exceeded thirty hours on the backend, then we would initiate some sort of casework writeup.

I don’t know that I can completely articulate that, but there just really won’t be much enforcement around that thirty hours, just because every aspect of the traditional patrol model is really set up on, okay, we’re checking you right now today, and so you can only have one day’s limit. When you’re transiting back in, with this, if you articulated that it was a two-day trip, okay, and I see that it was probably a two-day trip, and we’re going to give you the possession limit, regardless of where that twenty-four or thirty hours is.

Now, you will probably get 90 percent compliance out of your recreational -- That charter boat and headboat group, most of
them are going to comply with it, just because they are good anglers, but you will have a small fraction that will find a way to exploit it, and that’s really, I think, what we were trying to articulate, and it’s just how comfortable with that are you and how many people are going to take advantage of the situation and use it properly and how many people would take advantage of it and use it negatively, but it really -- From our law enforcement perspective, it doesn’t really fit into our patrol plan. That’s just kind of the framework around it that I guess I would articulate. If you had any other questions, I would try to answer them.

CHAIRMAN DIAZ: Thank you. Our committee is running just a little long, and so we’re going to wind it up, but I do want to thank Lieutenant Zanowicz and Assistant Commander Barker. They were very good presentations, and I want to especially thank you, Assistant Commander Barker, for being here all week and being willing to come up and give us your perspective on things, and so we really appreciate that. The last thing on the agenda is Other Business. Dr. Lasseter.

DR. LASSETER: Thank you, Mr. Chairman. Just to wrap up the IUU, I feel like both of these presentations really captured the LETC discussion, and so, if you would like to read a little bit more of the LETC summary report, it summarizes their discussion, but it pretty much overlaps with what we just heard.

They did make one recommendation to the council, which I would like to call up on the board, and it’s at the top of page 2 on the LETC summary. They are asking whether the council can provide a letter of support, basically help coordinate with their efforts to address this IUU issue, and so this is the motion.

The LETC is requesting that the council write a letter to the NOAA Office of International Affairs, and that’s the office tasked with providing these biennial reports to Congress, and/or the Assistant Administrator for NOAA Fisheries, to open communication and request an annual report regarding the specific impacts and measures taken by Mexico to address the Mexican IUU fishing issue. It would be important to note in the report the estimated take of red snapper by the illegal fleet and the economic impact that it poses against recreational and commercial fishermen in the U.S. I will pause there for committee discussion.

CHAIRMAN DIAZ: Ms. Bosarge.
MS. BOSARGE: I am not sure that I want to make a motion, but I was thinking, during these presentations, that we have, I think, written letters in the past, and we have talked to the Science Center in the past, but it may be better to get somebody from D.C. that is over a lot of this IUU fishing and have them come to one of our meetings and present, and let’s give our feedback directly to them, so they understand how important this is. Look us in the face and let’s have a conversation.

CHAIRMAN DIAZ: Dr. Stunz.

DR. STUNZ: We’re not helping with the timing on your meeting, Dale, and sorry, but I agree 100 percent with Leann of doing that, and a lot of that came out of that ICCAT meeting, which I will summarize next time, and so I think that’s a good idea, to have those folks, but they’re also busy with all kinds of other IUU activities going on, and I’m in favor of writing this letter, and so I can make a motion, if you’ve got time to do that, or do you want to wait until Full Council or something? I don’t know what you would prefer.

I guess -- I’m doing this off the fly here, and so I have to see what was just up there for that letter, Ava, and so is there a way to put it -- Basically, just recraft what they’re asking there.

I move that the council write a letter to the NOAA Office of International Affairs and/or the Assistant Administrator for NOAA Fisheries to open communication and request an annual report regarding the specific impacts and measures taken by Mexico to address the Mexican IUU fishing issue. It would be important to note in the report the estimated take of red snapper by the illegal fleet and the economic impact that it poses against recreational and commercial fishermen in the U.S. I will pause there for committee discussion. Mr. Chairman, that’s my motion.

CHAIRMAN DIAZ: Is there a second to the motion? It’s seconded by Mr. Robinson. I would like to add that, during the discussion during the Law Enforcement Technical Committee, there is no communication between U.S. law enforcement officers and Mexican law enforcement officers, and I don’t know if that’s even possible, considering the way that some of the cartels have control of some of the areas, but, if there was a way to open up some communication between the law enforcement from each country, it could have positive effects, and maybe that’s something that could come out of this. Any other discussion on the motion? Mr. Anson.
MR. ANSON: I don’t know if it -- I mean, I agree with the letter, but I am kind of with Leann. To kind of show our interest and to show their respective interest, it would be nice possibly to have somebody from the office to come and make a presentation to the council, in addition to the letter, and so you could have the annual report done, with the details, as provided in the motion, but I just don’t know if we want to offer, or need to offer, a substitute motion that would then also, in the same letter, request that an official come down to give a presentation as to what the current status is and what the recent history has been and such.

CHAIRMAN DIAZ: Dr. Frazer.

DR. FRAZER: Kevin, I think that’s a good idea, and I think I capture the intent. When we prepare the letter, we will also extend an invitation.

CHAIRMAN DIAZ: Any further discussion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries.

Dr. Lasseter, do you have anything else? All right. We have Other Business is the last item on the agenda. Does anybody have any other business to come before this committee? Seeing none, I yield back to the Chair.

(Whereupon, the meeting adjourned on October 23, 2019.)