



## New England Fishery Management Council

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Daniel Salerno, *Chair* | Cate O'Keefe, PhD, *Executive Director*

# MEETING SUMMARY

## Enforcement Committee

Via Webinar

May 14<sup>th</sup>, 2026

The Enforcement Committee met on May 14<sup>th</sup>, 2026 via webinar from 09:00 – 12:30 to address the following agenda:

- Introductions, function of new committee, Chair/Vice-Chair appointments – [McCarron]
- Review of NOAA OLE Council enforcement updates – [Gilbert]
- Discussion of this year's NGOM scallop fishery – [Buckley/Berthiaume]
- Discussion of potential gear conflict issues in scallop closed area two – [McCarron]
- Discussion of mesh size enforcement in redfish exemption program – [Frede]
- Other business, as necessary

### ***MEETING ATTENDANCE***

OFC Jason Berthiaume, LT Tom Bleifuss, LT Delayne Brown, AAD James Cassin, ATTY Mitch MacDonald, LT Jeff Mercer, ATTY Katie Pohl, ATTY Scott Sakowski, LT Danny White, CAPT Keith Williams (Committee members present); Terry Alexander, Togue Brawn (Council members); Michelle Bachman, Connor Buckley, Robin Frede, Mark Grant, David McCarron (ENF Lead), Jonathon Peros (NEFMC staff); Heather Nelson (NMFS GARFO staff); Caleb Gilbert (NOAA OLE). In addition, eighteen other people attended.

### ***KEY OUTCOMES***

- ***COMMITTEE RESTRUCTURING*** - Membership is now sworn officers of the law and court to improve focus and allow for flexible, open- and closed-session deliberations
- ***REPORT OVERHAUL*** - NOAA OLE is streamlining its quarterly updates to tie closely to active Council priorities
- ***NGOM SCALLOP FISHERY*** – Timely update on April fishery from Council staff and enforcement highlighting a productive and busy two weeks with challenging enforcement issues
- ***MESH SIZE ENFORCEMENT*** – A lengthy discussion on exempted mesh enforcement and impact groundfish stocks

### ***AGENDA ITEM #1: MEETING BACKGROUND & COMMITTEE REORGANIZATION***

The committee conducted its meeting via webinar rather than in person so that members and panelists could accommodate travel to a memorial service being held in Woods Hole for the lost fisheries observer and the crew of the vessel *Lily Jean*. This meeting marked the first time the Enforcement Committee had met in approximately seventeen months.

A proposal from the previous Enforcement Chair was passed by the full Council at their December meeting to convene a new committee composed solely of sworn officers of the law and sworn officers of the court. This structural change provides the committee with greater flexibility to hold closed-door sessions when necessary, provided they are announced in the Federal Register beforehand. NOAA General Counsel are not voting members of the committee but will remain actively available to assist both open and closed sessions in an advisory capacity. The previous enforcement advisory panel was dissolved upon the expiration of its terms at the end of last year.

A call for nominations for a committee chair was made, with no volunteers initially.

***AGENDA ITEM #2: NOAA OFFICE OF LAW ENFORCEMENT (OLE) REPORT UPDATES***

Enforcement Liaison Caleb Gilbert from NOAA OLE introduced discussions on updating their standard quarterly reporting templates to ensure they effectively serve the information needs of both the Council and the Committee. The OLE is currently refining this review process internally and welcomed input from state and regional law enforcement partners.

***AGENDA ITEM #3: NORTHERN GULF OF MAINE (NGOM) ENFORCEMENT REVIEW***

Council staff and NOAA OLE presented catch, landings, and enforcement metrics for the recent 2026 NGOM scallop fishery. The fishery has transformed post-Amendment 21, with active vessels increasing from 50 to 207. The increase in effort has compressed the fishing season from a month down to just thirteen days in 2026. During this short window, over 200 vessels were concentrated within a 3.5 by 1.25 nautical mile area on Stellwagen Bank, creating challenges related to vessel traffic, fishing space, and gear interactions. Excessive tow times and high grading remain a concern, but enforcement received less complaints than prior years. Landings also continue to expand outside of Gloucester into Provincetown, Boston, and New Bedford.

The short duration of the season and rapid pace of fishing activity has strained enforcement agencies, which are already struggling with federal resource cuts. NOAA and state agencies conducted 88 inspections and 35 COPPS/education contacts over 19 patrols. OLE also logged 119 incidences of non-compliance with VMS declarations. OLE also contacted 35 entities regarding non-compliance with PTNS and VMS pre-land requirements. Most other infractions were minor weight overages of under five pounds or administrative in nature (permitting, registration, etc.).

OLE also reported that there is substantial non-compliance with Fishing Vessel Trip Report requirements. Specifically, vessels in this fleet (and others) are failing to fill out or maintain their Vessel Trip Reports on board. Vessel Trip Report non-compliance in this fishery may be due in part to the fast-paced nature of the fishery, as well as the high concentration of participants from Maine, who historically have less experience with federal reporting mandates. Lastly, OLE reported that there were minor closed area violations, attributable to misunderstandings regarding opening times, and there was one seafood dealer investigation, which resulted in a referral to Massachusetts authorities regarding licensing, transport, and public health sanitation infractions.

Presenters indicated that allowing vessels to land once per calendar day creates enforcement vulnerabilities. This is further complicated by confusion in interpreting the definitions of “landing,” “port,” and “offload”. Dockside boarding is challenging because vessels frequently unload and depart within thirty minutes. It creates substantial administrative difficulties in detecting missing trips and matching VTR records effectively. A committee member noted a regulatory vulnerability where fishermen are required to complete their VTR before offloading but are given forty-eight hours to submit it. They noted that if an officer is not physically present at the dock during offload, data can easily be modified after the fact.

NOAA staff will consider clarifying the regulatory definition of landing and will work through the Council's Scallop PDT to gain more input and develop recommendations to address other enforcement concerns. The Enforcement Committee will revisit the NGOM fishery at their autumn meeting.

***AGENDA ITEM #4: SCALLOP ACCESS TO CLOSED AREA II***

A scallop fishermen gave public comment at the Council's April meeting regarding the proliferation of offshore lobster gear in Closed Area II and his desire to fish the remainder of his 2025 allocation in that area. The committee noted the increased density of fixed gear in that area and discussed whether informal agreements between the various user groups have been used in the area in the past. There was recognition that enforcement in LMA3 has been impacted recently by the DHS shutdown and other operational constraints. The committee generally agreed that at-sea enforcement in LMA3 should be a higher priority in the future and focus on verifying trap tags, gear compliance and gear marking.

***AGENDA ITEM #5: MESH SIZE ENFORCEMENT IN REDFISH EXEMPTION PROGRAM***

Council staff provided an overview of the redfish sector exemption program, explaining that while overall discard-to-kept rates matched general trends across the wider groundfish fishery, pollock stood out for exhibiting consistently high discard rates. Staff also noted that managing trips with mixed minimum mesh sizes adds regulatory complexity and raises broader groundfish enforcement questions.

A fishing family from Maine highlighted data showing that selectivity graphs for species such as redfish, pollock, haddock, dabs, and witch flounder overlap perfectly across a four-year dataset across eighteen distinct participants. They argued that this perfect overlap shows that captains are circumventing rules by utilizing identical, smaller-than-legal mesh sizes for both small-mesh and large-mesh components of their trips. They emphasized that fishermen manipulate net dimensions by choking off the net's extension piece and that enforcement officers have never measured net extensions during boardings. The Committee discussed needing regulations that would make boardings and mesh measurements more effective and easier to enforce in the exemption program.

OLE and USCG would welcome guidance from the committee and the Council on better mesh enforcement. While recognizing limited enforcement resources, staff noted that the committee may want to pursue a recommendation advocating standardized measurement of net extension bodies. OLE will also be following up with the vessel owner in regard to mesh concerns in redfish and whiting.

***AGENDA ITEM #6: OTHER BUSINESS***

A committee member asked clarifying questions on how and when the committee is able to meet in closed session and share confidential information. Staff answered that we now have more flexibility to schedule closed sessions but we should make that decision at least forty days prior to the meeting to get notification into the Federal Register. Confidential documents should be clearly marked and can be shared securely through Google drives. Staff will meet with GC and the Executive Director to make sure we have a clear procedure for holding a closed session.

A committee member suggested revisiting the Enforcement Policy section in the Council's Operations Handbook and discussing revisions at an autumn meeting.

NOAA OLE will continue to pursue an update on the ThayerMahan IUU work in the Gulf of Maine presumably contracted through OLE HQ and/or DHS/USCG for presentation at the autumn meeting.

The meeting adjourned at 12:39.