June 1, 2016

Department of Environmental Quality
Division of Marine Fisheries
Joint Enforcement Agreement Overview
Timeline:

• Aug. 5, 2015 – Session Law 2015 – 201 signed
• Feb. 10, 2016 – News release sent seeking stakeholder group participants
• May 6, 2016 – Participants selected and contacted
• May 17, 2016 – News release sent advising of June 1 stakeholder meeting
• May 31, 2016 – News release sent reminding of stakeholder meeting and providing information for ways the public can provide input
• June 1, 2016 – Stakeholder meeting
• July 1, 2016 – Public comment
• Aug. 30, 2016 – Deadline for Division of Marine Fisheries to submit study to Department of Environmental Quality
• Oct. 15, 2016 – Deadline for Department of Environmental Quality to submit study to the General Assembly
A joint enforcement agreement:

- Is a document agreed upon by the National Oceanic and Atmospheric Administration Office of Law Enforcement and a state agency.
- It provides funding to a state to perform various enforcement duties that support federal priorities.
- A portion of the funding can be used for equipment to be able to meet those obligations.
North Carolina is the only coastal state not participating in a joint enforcement agreement.
<table>
<thead>
<tr>
<th>State</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>$442,188</td>
<td>$452,938</td>
<td>$483,760</td>
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<td>Florida</td>
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<td>Georgia</td>
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<td>Louisiana</td>
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<td>Mississippi</td>
<td>$443,362</td>
<td>$479,038</td>
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<td>Puerto Rico</td>
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<td>$210,590</td>
<td>$240,840</td>
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<td>South Carolina</td>
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<td>Texas</td>
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<td>US Virgin Islands</td>
<td>$81,454</td>
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<td>Total by Year</td>
<td>$4,574,267</td>
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How vital is seafood to North Carolina’s economy?

In 2014, the economic impact of seafood was:
• Commercial - $370 million
• Recreational - $1.7 billion
North Carolina Marine Patrol is performing many functions already required in a joint enforcement agreement.

- Snapper/grouper inspections, turtle excluder device compliance, dealer inspections, and fishery closures (areas and seasons) dealing with federally regulated species.
- Officers have been providing beneficial manpower and equipment to federal agencies during times of specific needs, including assisting with hurricane recovery, port security, search and rescue/recovery, multi-agency training exercises and various law enforcement functions.
Possible Benefits:

- These discretionary funds can help the Marine Patrol replace older equipment and procure specialized equipment, such as:
  - Night vision equipment
  - Specialized optical equipment – rangefinders/binoculars
  - Radios
  - Computers – hardware and software
  - Vessels, vehicles, and fuel

- Generally – any resource which is required to accomplish a priority agreed upon in the joint enforcement agreement

- Funding can also be used for overtime
Possible Benefits:

Allows the state to ensure compliance of laws for all vessels in the Exclusive Economic Zone (3 – 200 miles offshore).

- Example: Currently a South Carolina vessel four miles out without a North Carolina license could not be checked.
Possible Benefits:

• Federal and state enforcement of conservation laws are mutually beneficial. The agreement formalizes a relationship to enhance both programs in the overall best interest of the conservation of marine and estuarine resources.

• Agreements can allow other funds to funnel to the state and these funds may not always be related to enforcement.
  – North Carolina could have received funds to assist the Marine Mammal Stranding Network during an event with bottlenose dolphin mortalities due to illness.
Possible Benefits:

- Ability to handle some federal violations at the state level.  
  - Violations could be handled at the local court level vs. federal courts.
- Fishermen continue to deal directly with local officers – many of whom they already have a working relationship.
- Provides for education and outreach.
- Provides training at federal level – including species identification, vessel handling, and other specialized training.
- Endangered Species and Marine Mammal Protection.
Concerns have been raised about public relations between NOAA, its federal officers and/or federal programs with North Carolina stakeholders.

- North Carolina Marine Patrol’s partnership with federal law enforcement has been ongoing. Officers have been working closely with its agents for years.
Potential Concerns:

North Carolina’s sovereignty will be impacted if federal funds are received for enforcement.

Our state receives funding for other law enforcement and fisheries work:

- Wildlife Resources Commission – Through the National Recreational Boating Safety Program.
- Division of Marine Fisheries receives federal monies for various activities, including data collection, research, boating access, etc.
Potential Concerns:

Joint enforcement agreement priorities are for commercial fisheries only.

• Both commercial and recreational fisheries are covered under an agreement.
• The joint enforcement agreement process was originally developed for the recreational fishery due to the impact of the sector on fisheries management.
If supported:

• N.C. General Statute (113-224) would need to be amended.
• Before entering into an agreement, state officers must be authorized to enforce federal fisheries laws through a Cooperative Enforcement Agreement with federal enforcement authorities.
• Begin discussions to draft the joint enforcement agreement document based on shared priorities and amount of resources and time to be spent by North Carolina Marine Patrol officers for these priorities.
If supported:

- Equipment needs and funding possibilities can then be reviewed.
- Both N.C. Department of Environmental Quality and National Oceanic and Atmospheric Administration Office of Law Enforcement would have to agree on these priorities.
- This is an annual agreement with periodic reviews.