

The Great Lakes Law Enforcement Committee Programmatic Update



Brenda Koenig, Law Chair

Ontario Ministry of Northern Development, Mines, Natural Resources and Forestry

Great Lakes Panel on Aquatic Nuisance Species Virtual Meeting

June 1, 2022

11:30 am Eastern Time

Overview

- Governance and Mission
- Key Actions
- Ongoing Initiatives
- Priorities



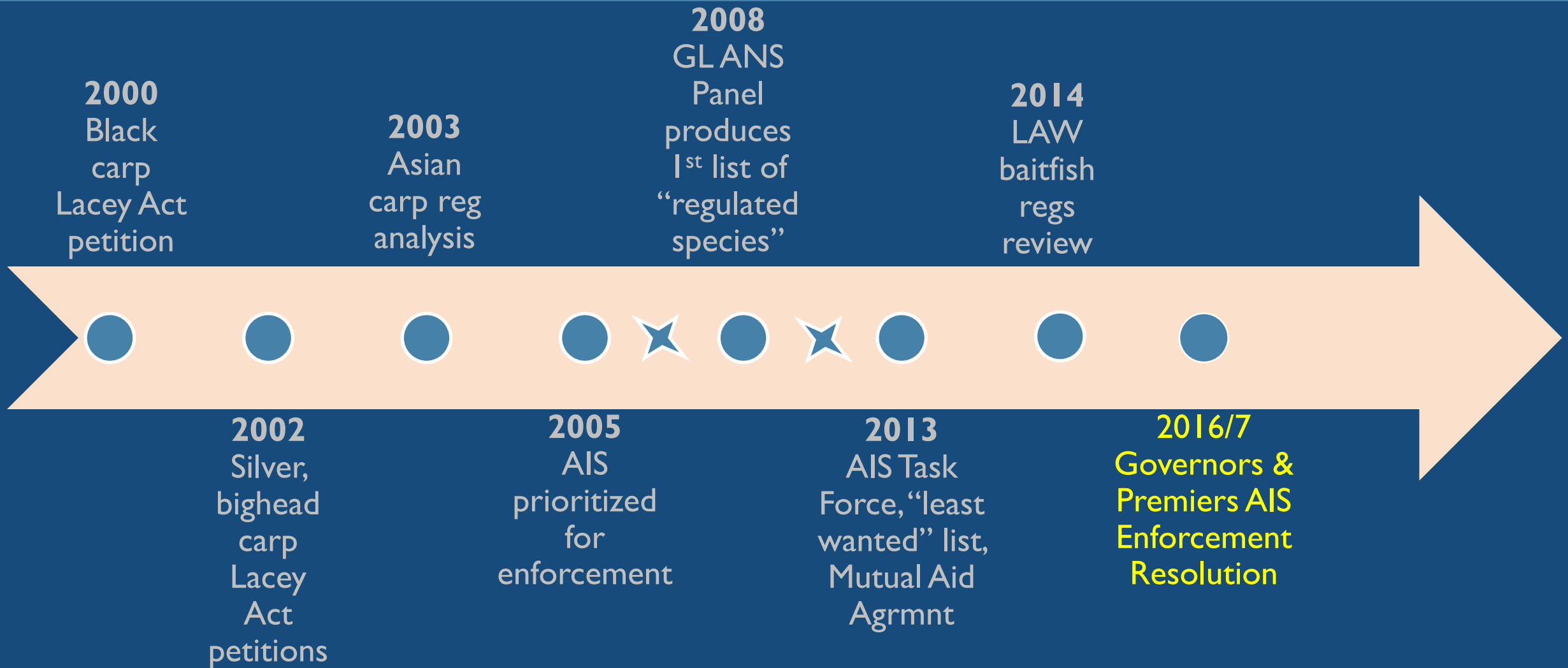
Great Lakes Law Enforcement Committee

“To protect, enhance, and promote the safe and wise-use of the resource in the Great Lakes for present and future generations.”

- Recommendations to senior-level fishery managers (CLC)
 - Cooperative procedures
 - Consistent regulations
 - Practical (enforceable) policies
- Forum for information sharing
- Agency support (e.g. training)



Great Lakes LEC Timeline of Key Actions



Great Lakes Law Enforcement Committee

- March 2017 and onwards
- Partnered with the Conference of Great Lakes and St. Lawrence Governors and Premiers (the 'Conference') to develop a resolution to improve AIS regional law enforcement capabilities



Conference of Great Lakes and St. Lawrence Governors and Premiers

2017 Leadership Summit

- Governors and Premiers sign resolution strengthening protections against AIS in October 2017
- States/Provinces sign law enforcement MOU



MOU on Regional Cooperative Enforcement Operations

- Aids inter-jurisdictional investigations for both invasive/endangered species
- Timely sharing of information
- Supports:
 - investigation of wildlife offences (court standards in both countries);
 - enforcement operations of all parties/prosecutions; and,
 - framework to improve communications.



Governors and Premiers Resolution

Harmonizing, where possible, the objectives of state and provincial regulations to address regulatory gaps including;

- Expanding :
 - the “least wanted” invasive species list
 - MI, ON and OH’s harmonization initiative
- Develop consistent approaches to AIS prevention and enforcement throughout the basin

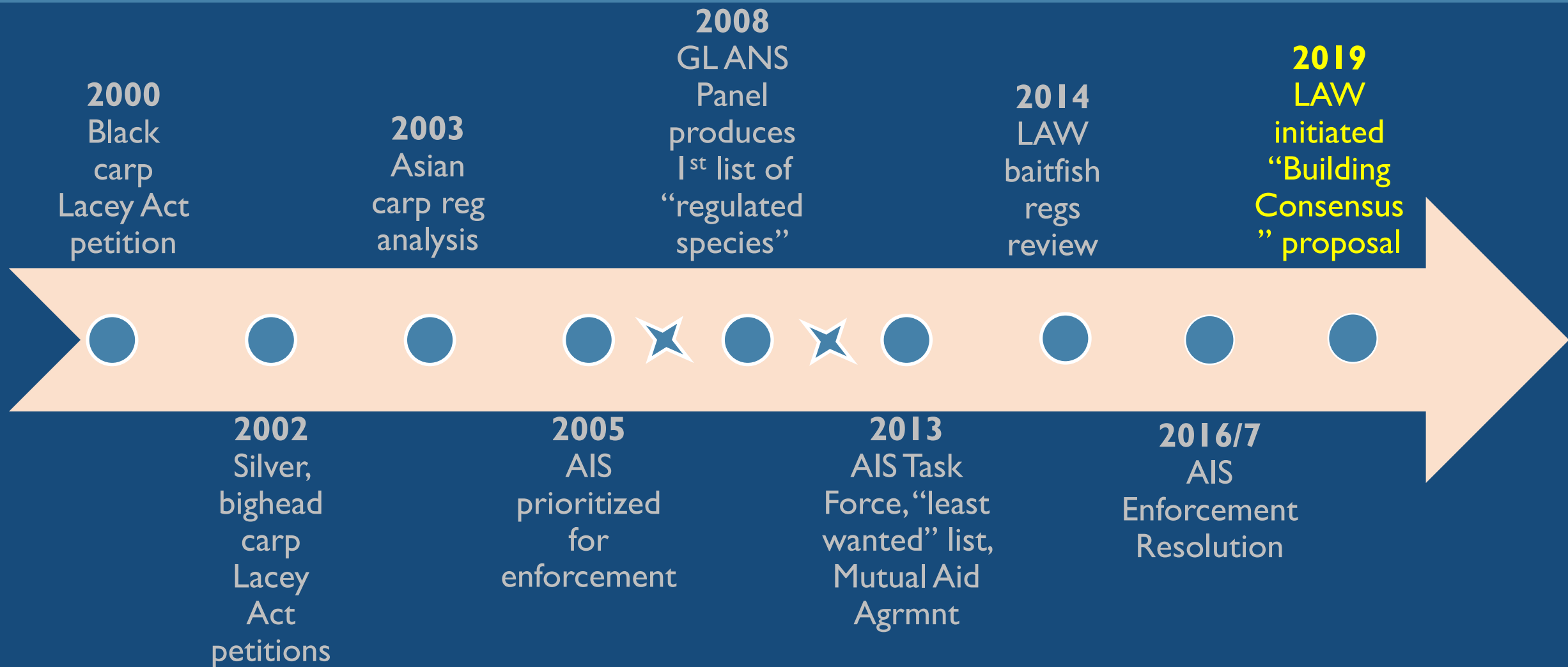


Resolution Continued

- Expanding AIS training and technology capabilities for enforcement staff
- Promote/enhance enforcement units or specialists in each jurisdiction



Great Lakes LEC Timeline of Key Actions



Building Consensus to Identify and Address Priority AIS and Vectors in the Great Lakes

Purpose: Provide a legal assessment of variability in regulated species lists and related authorities, and identify priority actions to address identified gaps and vectors of concern.



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Great Lakes Panel on Aquatic Nuisance Species



Aquatic Invasive Species

The Great Lakes and St. Lawrence Governors' and Premiers' Aquatic Invasive Species Task Force works to stop the introduction and spread of aquatic invasive species (AIS) into the Great Lakes St. Lawrence River Basin



Develop comprehensive comparison of existing regulations

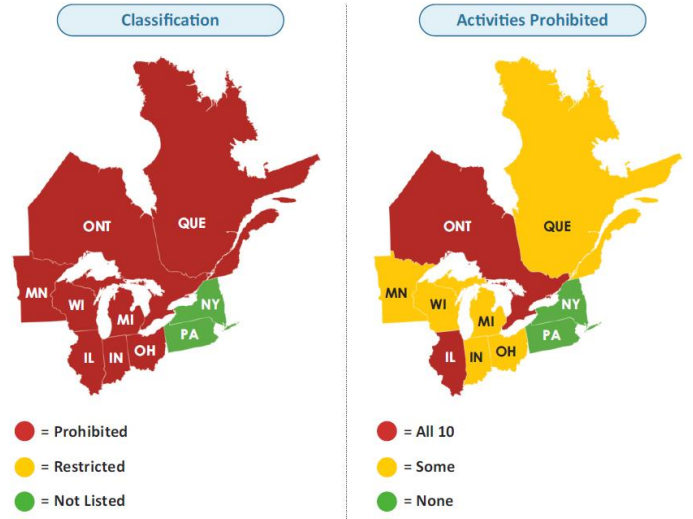
Classification:

- Prohibited
- Restricted
- Not listed

Comparative Analysis of "Least Wanted" AIS in the Great Lakes

Stone Moroko

Pseudorasbora parva



"Prohibited" means different things in different jurisdictions. While possession, sale, and release is expressly illegal in all states where parrot feather is listed as prohibited, jurisdictions may be silent on other activities such as transport, purchase, or import.

Sell	Offer for Sale	Purchase	Transport	Import	Barter, Gift, Trade, Transfer	Possession	Release	Propagation	Lease, Loan
IL, IN, MI, MN, OH, WI, ONT, QUE	IL, MI, WI, ONT	IL, IN, MN, WI, ONT, QUE	IL, MN, WI, ONT, QUE	IL, IN, MN, OH, WI, ONT	IL, IN, WI, ONT	IL, IN, MI, MN, OH, WI, ONT, QUE	IL, IN, MI, MN, OH, WI, ONT, QUE	IL, IN, MN, ONT, QUE	IL, IN, ONT
8	4	6	5	6	4	8	8	5	3

Last updated October 2019



Activity classification:

- All (red)
- Some (yellow)
- None (green)

Specific activities identified in regulations



ONGOING (AIS) INITIATIVES

Current AIS Prevention Efforts

Information Sharing

- Quick exchanges
- Knowledge base is committee-wide
- Cross-jurisdictional support





Law Enforcement Committee

COORDINATING LAW ENFORCEMENT ACTIVITIES OF THE GREAT LAKES JURISDICTIONS

2200 Commonwealth Blvd.
Suite 100
Ann Arbor MI 48105-1563
Tel: 734-662-3209

December 18, 2019

1684 TREATY AUTHORITY

CHIPPEWA-OTTAWA
RESOURCE AUTHORITY

FISHERIES AND OCEANS
CANADA – CONSERVATION
AND PROTECTION PRO-
GRAM

GREAT LAKES INDIAN
FISH AND WILDLIFE
COMMISSION

ILLINOIS DNR

INDIANA DNR

MICHIGAN DNR

MINNESOTA DNR

NATIONAL OCEANIC
AND ATMOSPHERIC
ADMINISTRATION

NEW YORK DEC

OHIO DNR

ONTARIO MNRF

PENNSYLVANIA F&BC

UNITED STATES
COAST GUARD

UNITED STATES FISH AND
WILDLIFE SERVICE

WISCONSIN DNR

I am writing on behalf of the Great Lakes Law Enforcement Committee (Committee), a group of senior natural resource law enforcement officers that support improved coordination of law enforcement activities in support of Great Lakes fisheries. The Committee is comprised of natural resource enforcement agencies from the states of Michigan, Minnesota, Illinois, Indiana, New York, Ohio, Pennsylvania, and Wisconsin, the province of Ontario, National Oceanic and Atmospheric Administration, United States Coast Guard, United States Fish and Wildlife Service, and three US tribal organizations around the Great Lakes. While the Great Lakes fall under many jurisdictions, the fishery resources do not observe political boundaries. A major recent focus of the Committee is identifying risks from aquatic invasive species that could impact Great Lakes fisheries.

We have identified live red swamp crayfish (*Procambarus clarkii*) as being sold or advertised for sale by you or your company. Beyond being harmful to the environment, various activities involving live red swamp crayfish are illegal in jurisdictions within the Great Lakes-St. Lawrence River region. Red swamp crayfish burrow into the soil around dams, irrigation systems, and levees and cause severe and costly damage to these structures. Red swamp crayfish destroy nesting and nursery grounds of the fishery, compete with other fish species for food, and prey on the eggs of other aquatic life. As part of our work on this issue, we are advising those who advertise, sell, or ship live red swamp crayfish to any of the jurisdictions listed above to contact the appropriate regulatory authorities for information regarding invasive species. Any person or entity conducting business in these areas should familiarize themselves with and abide by all applicable regulations.

To assist you with operating legally and responsibly, the table on the next page provides contact information for the agencies responsible for protecting the Great Lakes region from invasive species. The Committee strongly encourages you to make immediate contact with the appropriate regulators to avoid the possibility of fines and penalties in the event you sell, ship, or otherwise trade in red swamp crayfish or other potentially invasive species.

Sincerely,

Robert Stroess
Chair – Great Lakes Law Enforcement Committee

<http://www.glfc.org/law-enforcement-committee.php>

Current AIS Prevention Efforts

Letter Campaign

- Identified dealers in invasive crayfish in several states
- Notified dealers of potential violations
- Provided contact information for GLFC jurisdictions
- Documented in a law enforcement report for future prosecution

Recent AIS Case – Marbled Crayfish (MC)

Information Sharing and Cooperative Enforcement

- WI id's OH seller (100's of MC) - shares info with OH
- OH contacts seller, seizes ~500 MC, being widely sold (36 states)
 - Several states have amended laws or in process



- Accused pleads guilty to Lacey Act misdemeanor:
 - 2 yrs probation
 - 80 hrs community service; non-profit/gov't agency (water quality)
 - acknowledgment explaining conduct, risks created, and consequences to herself;
 - arrange for printing in approved publication on aquariums/trade in aquatic species (e.g., Tropical Fish Hobbyist)
 - a fine of \$5,000

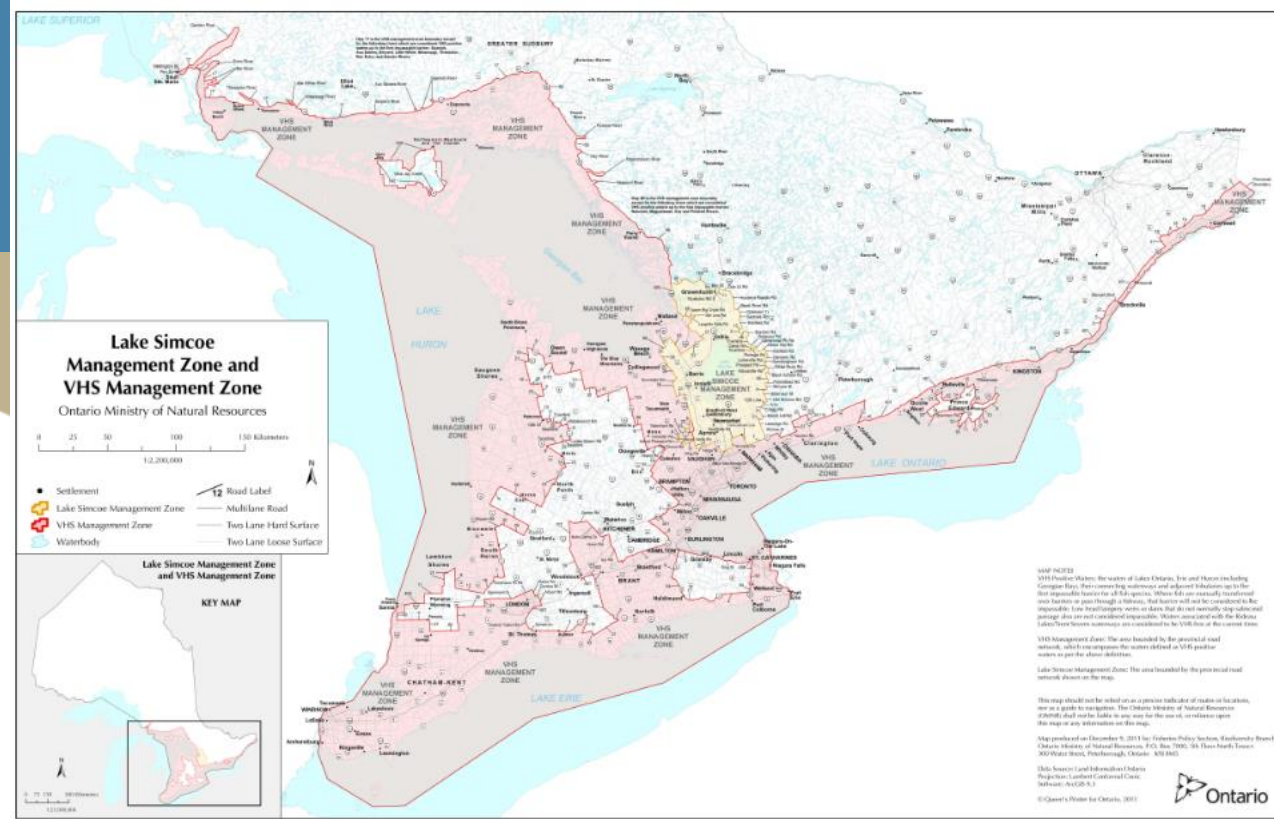
Ministry of Natural Resources and Forestry

Interjurisdictional movement of baitfish

A presentation to: Great Lakes Panel on Aquatic Nuisance Species Organisms in Trade Virtual Information Session

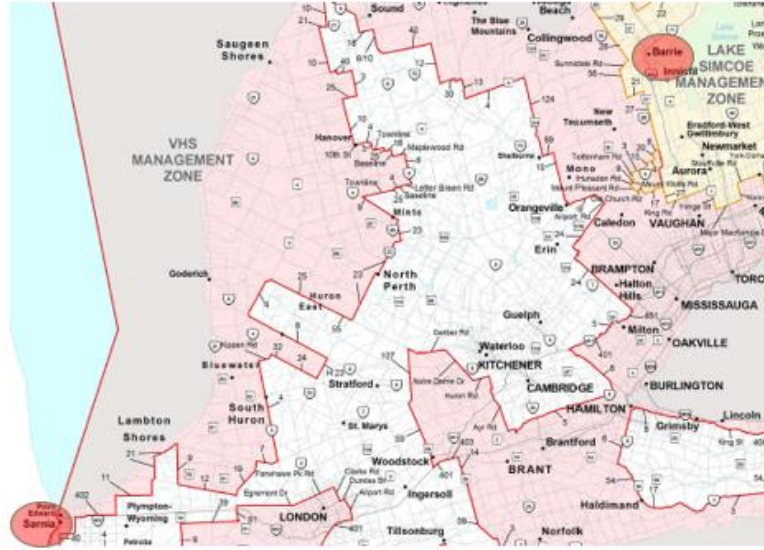
June 16, 2020

Brenda Koenig, Provincial Enforcement Specialist
Enforcement Branch, Provincial Services Division
Ontario Ministry of Natural Resources and Forestry



What Happened

- The Agreed Statement of Facts establishes that on three separate occasions, Emerald Shiners were purchased, taken and possessed by the defendants at the water's edge of Lake Simcoe in Barrie, Ontario and transported by truck from there to Michigan through Sarnia, for commercial purposes, successfully passing through the border on the first two occasions.
- On the third occasion, the load was inspected and detained by the Canadian Border Services Agency at the border in Sarnia.



- The defendants are bait operators from a midwestern state.

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Interjurisdictional movement of baitfish



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Interjurisdictional movement of baitfish



Problems In AIS Prevention/Enforcement



- Some enforcement officers are not interested
 - Not familiar, apprehensive
 - Recognition (glamour)
 - Not all enforcement agencies put priority on invasive species
 - Prosecution challenges (focus more on education, language barriers, offences often occurring in densely populated areas and then compare to violent crimes etc.)
- Information sharing not consistent among regions
- Organization of information
- AIS manager communication with enforcement staff

Law Committee Priorities

- Develop consistent approaches to AIS prevention and enforcement throughout the basin (commensurate laws)
 - Ensure that law enforcement staff are meaningfully involved in drafting/amending laws
- Expanding AIS training and technology capabilities for enforcement staff (goes beyond AIS)
- Improve and facilitate information sharing across the basin and within jurisdictions (enforcement staff, fishery managers)
- Promote/enhance enforcement units or specialists in each jurisdiction (for aquatic species protection not just AIS)