**Marine Enforcement Highlights, April/May/June 2021**

In early May, CPO’s Capri and Meyer conducted a vessel patrol in Barnegat Bay and the mouth of the Gunning River specifically looking for fyke nets that had not been removed after the season had ended. The commercial fyke net season closed April 29th and all nets are required to be removed from the water prior to May 1st. CPO’s Meyer and Capri located a total of 8 fyke nets which appeared heavily neglected and contained multiple dead and dying fish. The fisherman was later identified and charged with multiple counts of utilizing a fyke net during the closed season, failure to properly mark fyke net stakes, and failure to mark fyke nets with identification.

Prior to the opening of the summer flounder season CPO Capri conducted a vessel patrol in Barnegat Bay in response to a complaint of unmarked miniature fykes. After investigating the miniature fykes, CPO Capri observed a small vessel in the area which appeared to be targeting summer flounder. CPO Capri conducted an inspection of the two individuals on board the vessel and located 14 closed season summer flounder, 13 of which were under the minimum size of 18”. Appropriate summonses were issued to the individuals for possession of summer flounder during the closed season and possession of undersized summer flounder.

Nice weather and calm seas resulted in a high level of recreational fishing activity for the black sea bass season opening weekend. CPO’s Meyer, Capri and Szelc conducted extended vessel patrols in Barnegat Light Inlet and Absecon Inlet for vessels returning from the ocean. CPO’s Meyer and Capri conducted an inspection of an inbound charter fishing vessel and located 35 black sea bass over the five-man, 50 fish, limit. In total, the two patrols resulted in 13 summonses ranging from undersized/over the limit black sea bass to closed season tautog. Additionally, CPO’s Meyer and Szelc inspected a charter vessel returning from a black sea bass trip which revealed the vessel did not possess the required federal party/charter black sea permit. The case was referred to NMFS for further enforcement action.

After a Cape May based commercial Atlantic sea scallop vessel packed out its catch in late April, CPO Brian Tomlin boarded the vessel and found small quantities of scallops, monkfish tails, summer flounder and sea snails remaining on board. The remaining species were undeclared on the Fishing Vessel Trip Report required to be completed with all species on board. The case was referred to NMFS for possible Federal enforcement action.

During offshore gear patrols with the Bureau’s P/V Integrity the last couple of months, CPO’s documented and referred numerous Federal gear violations. The violations included failure to comply with the Atlantic Large Whale Take Reduction Plan requirements, failure to mark/identify gillnet and trap gear, abandonment of lobster gear in lobster management area (LMA) 4 during the LMA 4 closed season, unlawful commercial fish traps inside a special management zone and deployment of lobster traps without Federal lobster trap tags. The Federal cases were referred to NMFS for possible Federal enforcement action.

While patrolling state waters near the coast of Sandy Hook, CPOs Henderson and Woerner encountered a vessel anchored in Sandy Hook Channel. Upon approach, the operator of the vessel quickly pulled anchor and began to head toward New York. As the CPOs signaled and attempted to stop the vessel, the operator was observed throwing at least one fish overboard. Despite knowingly being signaled to stop, the operator continued to maintain course towards New York waters. The CPOs followed the vessel to Rockaway Inlet in NY where the operator finally stopped the vessel. Upon inspection, the operator was identified as a NY commercial hook & line fisherman despite claiming that he was not fishing commercially that day. There were no other tautog found onboard the vessel, however typical gear and bait associated with commercial tautog fishing was located. Numerous summonses, including the failure to facilitate safe boarding, interference with the duties of a conservation police officer, and failure to possess a valid NJ saltwater registry, were issued. Additionally, the operator was also charged with a Title 2C charge for obstruction.

CPO Tomlin responded to numerous complaints of Atlantic menhaden washing up dead on the beaches of Cape May Point. Identifying that the commercial menhaden fishing fleet was fishing in the Delaware Bay around the time the fish washed up, CPO Tomlin conducted interviews with the vessel operators. It was admitted by one vessel operator that they tore a large hole in their net and accidently released approximately 40,000 pounds of dead Atlantic menhaden in the Delaware Bay roughly a day before the fish washed up on the beaches. The operator admitted he should have called the accidental release of dead fish into the Department as required but had hoped the fish were going to sink before reaching the beaches. CPO Tomlin issued summonses for failing to notify the Department of the release. The notification requirement is essential for calming the public hysteria that is often created when dead fish wash up on the beaches and additionally gives the Department a chance to prepare municipalities for any potential clean-up efforts.

On May 21, CPO Capri conducted an inspection of a recreational vessel with several electric reels returning to the area of Barnegat Light. Upon inspection, CPO Capri located 6 bags of filleted tilefish containing a total of 94 tilefish fillets. Tilefish consist of two species, each of which have different possession limits. Blueline tilefish specifically are limited to 3 fish per person. The vessel, having 7 people on board, would have been limited to 21 blueline tilefish. The vessel also failed to possess a federal tilefish permit required to target or possess any tilefish. CPO Capri collected DNA samples from the fillets and submitted the case to NMFS for further enforcement action.

CPO’s Meyer and Capri have been actively conducting shellfish patrols in the Sedge Island Marine Conservation Zone. This unique area only allows for the recreational harvest of shellfish and has become a popular area for clamming. The officers must utilize a shallow draft vessel and often walk several hundred yards in the water to conduct inspections for compliance with shellfish regulations. As a result, CPO’s Meyer and Capri have issued multiple summonses and warnings for failure to obtain a shellfish licenses, harvesting shellfish on Sunday, and the taking of undersized hard clams.

On June 4th, CPO Szelc conducted a fisheries inspection of an ocean quahog/surf clam vessel returning to port in Atlantic City. When CPO Szelc spoke with the vessel operator, the operator insisted that the only product on board the vessel was clams. CPO Szelc completed the inspection and located several bags of filleted fish hidden in the freezer of the vessel. The unfrozen and recently hidden fish fillets were identified as summer flounder, black sea bass, and monkfish. All summer flounder and black sea bass are required to be landed whole and may not be filleted. The vessel did not possess federal summer flounder or black sea bass permits, failed to complete a fishing vessel trip report, and the vessels operator was found to have an expired federal operator’s card. These violations were referred to NMFS for further enforcement action.