

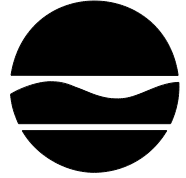
**New York State Department of Environmental Conservation
DIVISION OF LAW ENFORCEMENT**

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M E M O R A N D U M

TO: Marine Resource Advisory Council
FROM: Major Timothy A. Duffy
RE: Southern District Monthly Report November -2008
DATE: December 2, 2008

MARINE RESOURCES

Recreational Fishing Enforcement (Nassau County)

On 18 October 2008, MEU ECO Sean Reilly and Region 1 ECO's Eoin Snowdon and Matthew Garrigan checked the charter vessels in Point Lookout. Two fares were found to have porgy after the season had closed and one fare had four short black sea bass. Each was issued a ticket for the violation returnable to Nassau District Court. The ECO's continued patrol, checking shore-side locations for fishermen targeting striped bass. ECO Garrigan issued two tickets to individuals that were found in possession of undersize striped bass. ECO Snowdon ticketed a subject for possession of undersize sea bass in Long Beach.

Re-Used Striped Bass Tags (Suffolk County)

On 22 October 2008, MEU Officer Brian Farrish assisted Region 1 ECO's Josh Ver Hague and Josh Sulkey with a complaint at a local seafood market that involved unsecured and re-used striped bass tags. After the inspection was completed, the officers uncovered a total of six striped bass that were in violation. The commercial fishermen who had sold the fish to the market will be tracked down and issued summonses at a later date.

Fulton Fish Market Detail (Bronx County)

On 23 October 2008, MEU Officers Sean Reilly, Nathan Doig, Todd Smith, Jamie Powers and James Davey, and Region 2 ECO's, Lts. Todd Richards and Bernie Rivers, along with Massachusetts Fish and Wildlife officers and New York City Business Integrity officers, met at the Region 2 office for a briefing of this assignment. A focus of this detail was the illegal sale of marlin. All of the officers then proceeded to the Fulton Market where they performed a very detailed inspection of all of the dealer units. By the end of the night, 11 summonses were issued to several dealer units ranging from oversized striped bass, untagged shellfish and failure to possess foodfish/shellfish permits. The officers also trained the new ECO's on how to inspect a market, marine fish regulations, inspection of permits and shipping paperwork, how to measure fish and lobsters and cull shellfish.

Freshwater Clams In Manhattan (New York County)

On 25 October 2008, while on plain clothes patrol in Manhattan's Chinatown, ECO Jeffrey Conway discovered a bushel basket of freshwater clams for sale at a market. When Officer Conway returned with Officers Shea Mathis and Christopher Lattimer in uniform, the clams were gone. The three officers searched the store but found no trace of the clams. Officer Mathis noticed some of the clams on the curb by a van. The officers gained access to the van, which contained four, one-hundred pound bags of the clams. The evidence was photographed and seized. The manager of the market received a ticket for the possession and sale of freshwater clams.

Party/Charter (Suffolk County)

On 30 October 2008, at Orient in the Town of Southold, following several complaints that the captains of charter boats at the Orient-by-the-Sea marina were taking over-the-limit of blackfish, MEU Officers Brian Farrish, Todd Smith, Lt. Joe Billotto and Region 1 ECO Gary Enright conducted dockside boardings of several party/charter boats returning from a full day of fishing. All the boats were found to be in compliance with the four fish per person limit for blackfish.

Busted (Suffolk County)

On 31 October 2008, MEU Officers Brian Farrish and Todd Smith were on boat patrol in the Shinnecock inlet area working the increasing problem of the use of undersize blackfish, porgy and sea bass for bait to catch striped bass. The officers observed all the boats that were fishing the inlet using live bait. They observed three vessels using illegal baits and, one-by-one, the officers checked them. The first vessel to be hat was caught was issued summons for undersize black sea bass and out-of-season porgy. The second vessel was issued summons for undersized striped bass, out-of-season porgy, undersize blackfish and undersize black sea bass. The third and final vessel was observed using live porgies for bait and was issued a summons for out-of-season porgy. The patrol produced a total of seven charges.

Party Charter II (Suffolk County)

On 01 November 2008, MEU Officers Brian Farrish and Todd Smith were underway with the USCG Station Montauk's 47 foot motor lifeboat, in a joint enforcement effort checking head boats on the East End of Long Island. During the patrol, one boat was found with eleven undersize blackfish and two undersize black sea bass. The captain of the head boat was issued the summons for the violations.

Conscientious Friend/Fisherman (Suffolk County)

On 09 November 2008, ECO Gary Enright received a request from Raybrook Dispatch to call a complainant regarding information on fishing violations. The anonymous complainant related that he had been fishing with some friends on a charter boat out of Montauk. The man reported that he had witnessed numerous violations regarding the taking of blackfish/tautog aboard the vessel, including taking over limit and filleting undersized fish. He further stated that most of the same group of men had chartered the boat again. At approximately 4:00 P.M. on the day in question, ECO Enright met the boat dockside just after the twelve fares had disembarked. Luckily, ECO Enright had requested the assistance of an East Hampton Marine Police Officer, for upon spotting ECO Enright, most of the twelve fares began to quickly load coolers and other gear into their vehicles attempting to depart. ECO Enright was able to stop them and subsequent compliance checks revealed several over-the-limit blackfish violations. Some of the fish had been filleted and hidden in backpacks. Other over-the-limit fish were

hidden in coolers which had been covered with jackets and other gear. A total of five summonses were issued for over-the-limit. An investigation relating to the culpability of the vessel captain is pending.

Sale Of Undersized Black Fish (Queens County)

On 16 November 2008, Region 2 ECO's Shea Mathis and Christopher Lattimer patrolled to L & L Supermarket in Flushing for a routine fish check. Once inside the store, Officer Mathis noticed a short black fish for sale on ice. Upon further investigation, the officers found four more undersized black fish in the live tanks mixed in with some eels. ECO Mathis netted the undersized fish and ECO Lattimer measured and photographed them. A summons was issued to the supermarket.

No Escape (Nassau County)

On 20 November 2008, while on boat patrol on Long Island Sound, in the Town of North Hempstead aboard Safeboat A4, Region 1 ECO's Erik Dalecki and Michael Unger, along with MEU ECO's James Davey, Brian Farrish and Sean Reilly, inspected a commercial lobsterman they had observed tending his gear. Officers Farrish and Davey boarded the lobsterman's boat and found him to be in possession of lobster pots having undersized escape panels. The lobsterman was issued a misdemeanor summons.

SIGNIFICANT MEETINGS

Jamaica Bay Task Force "Clean Water"

On 07 November 2008, MEU Lt. Lopez attended a meeting at Floyd Bennett Field concerning derelict vessels and problem property located adjacent to the water. The meeting was a multi-agency approach to the protection of the Jamaica Bay. Members of the US Coast Guard, the New York City Police Department, the New York City Department of Parks and Recreation, the New York City Department of Environmental Protection, the New York City Department of Sanitation, the New York City Dock Master, the Hudson River Keeper and the US Department of Interior attended.

Marine Resources Advisory Council (East Setauket / Suffolk County)

On 18 November 2008, Captain Thumm attended most of the MRAC meeting and was assigned to a work group to investigate the feasibility of allowing the transfer of striped bass tags.

TAD/acp