

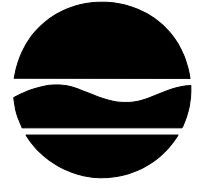
**New York State Department of Environmental Conservation
DIVISION OF LAW ENFORCEMENT**

Marine Enforcement Unit

205 North Belle Mead Road, East Setauket, New York 11733-3400

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Denise M. Sheehan
Commissioner

**2006 Undersize Blackfish and Undersize Scup Enforcement Report
(additions from December 2006)**

Undersize Blackfish (Town of Islip, Suffolk County) (MEU and R1)

On November 22, 2006, for the opening of waterfowl season, MEU Officer Brian Farrish and ECO Jeremy Eastwood were checking duck hunters by boat in the State Channel in the vicinity of Captree Island. The ECOs followed one duck hunter back to his house on the water and as the Officers pulled up to his dock, ECO Farrish noticed a floating fish tote attached to his dock. The hunter had shot one black duck and had no other hunting or navigation violations. The Officers started making their way back to their patrol boat when Officer Eastwood asked, “whose tote is this, and what’s in it?” The hunter replied, “It’s mine and it’s just some green crabs for bait. Officer Farrish opened one side of the tote. Inside were eight tiny blackfish, along with some green crabs. He admitted that he was using them for Striped Bass bait and wanted a break because he had not caught one Striped Bass while using them as bait all season. The hunter was issued a ticket for eight undersize blackfish.

Undersize Striped Bass (Town of Islip, Suffolk County) (MEU and R1)

On November 29, 2006, MEU Officer Brian Farrish and ECOs Eric Daleki and Steve Scognamillo, were on boat patrol out of USCGS Fire Island. They were on A5 conducting random recreational boat checks in the Fire Island inlet area for Striped Bass and Blackfish enforcement. Officer Farrish pulled up to one boat as the fishermen were getting ready to end their day. When they were asked if they had any fish on board they replied, “Only one Striped Bass”. The fisherman held up the fish and it looked close to 28 inches, so Officer Scognamillo conducted the boarding. The first fish measured 27 inches. Officer Scognamillo then discovered another bass wrapped up in a black garbage bag under their center console that was only 26 inches. The fishermen were issued ECATs for Possession of undersize Striped Bass.

Final Score: Brooklyn Blackfish 27, Coney Island Crustacea 25 (Borough of Brooklyn, Kings County, NYC) (MEU and R1)

On November 30, 2006, MEU Officer Jamie Powers joined forces with ECO Matthew LaCroix to follow up on information Officer LaCroix received regarding illegal Blackfish being stored at a wholesale seafood warehouse in Brooklyn. ECO Powers found a tank containing 27 undersized Blackfish and ECO LaCroix discovered a tank holding 25 undersized lobsters. The company was charged with possession of these undersized species along with failing to possess a valid food fish license and failing to possess a shellfish shipper/dealers license. The company is also facing illegal commercialization penalties.

Something Just Smelled Fishy (Borough of Manhattan, New York County, NYC) (MEU and R1)

On December 2, 2006, ECOs Carlton Gill, Jeff Conway, Jamie Powers and James Davey coordinated efforts in Manhattan's China Town to perform routine fish market inspections. While checking, the ECOs discovered 30 small blackfish in the basement of one company. The company was charged with possession of 30 undersized tautog. The company also faces penalties of Illegal Commercialization as a corporation. By the end of the night, well over 20 shops were inspected and three summonses were issued.

Blackfish Enforcement Patrols (Long Island Sound and Eastern Inter-State Waters) (MEU)

Throughout the month of December, the MEU has been doing boat patrols with the States of Rhode Island and Connecticut in an effort to curb the taking of undersize blackfish and ultimately prevent the sale of those illegal blackfish.

Montauk Blackfish Complaint (Hamlet of Montauk, Suffolk County) (MEU and R1)

The MEU had been working on the activity of a Montauk Fisherman believed to be moving large quantities of blackfish through the local markets. Information developed over the summer, led to an apprehension on November 20, 2006. A subject was found to be storing tautog in live cars over the commercial possession limit. After returning to Lake Montauk from a trip to the area Northeast of Block Island, the defendant was found to be in possession of 67 Tautog, one untagged Striped Bass and one untagged holding net. Appropriate ECATS were issued by ECO Thomas Gadomski. Follow-up interviews were conducted and statements were taken by the MEU Investigator. Three weeks later, the defendant was caught when returning from a similar trip and again was found to be in possession of over the daily commercial limit for tautog.

Three Times A Charm (Town of Babylon, Suffolk County) (MEU and R1)

ECOs Sean Reilly and Eoin Snowdon were traveling in the State Boat Channel near Amity

Cut when ECO Reilly recognized a boat drifting in the channel with two men on board. When the ECOs pulled alongside the fishermen, their lines had been snapped. The men claimed there was something on the bottom they snagged. ECO Reilly asked, “What do we have for bait today?” and was met with a strange look. The man responded, “We have eels”. ECO Reilly advised him, “You said the same thing last year when we got you twice in one week with short blackfish for bait”. The man replied, “ You have a good memory” and tried to argue that the sea bass ECO Snowdon was measuring wasn’t two inches short. ECO Snowdon issued an ECAT to the fisherman for his third invitation to Suffolk District Court.

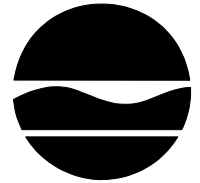
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Undersize Tautog and Undersize Scup Enforcement
December 2005 through November 2006

Consolidated from Regional and Marine Enforcement Unit
monthly reports and edited by Capt. Dorothy Thumm
(631-444-0460)

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The following are excerpts from the monthly reports produced by Regions 1, 2, 3 (R1, R2 and R3), and the Marine Enforcement Unit (MEU) for the first eleven months of 2006. These excerpts do not represent the totality of DLE Tautog enforcement. Instead, they represent only those times that the species, more specifically “undersized Tautogs”, are mentioned in the reports. There is no other way to retrieve statistics on the number of times officers dealt with undersized Tautog. A search of the computer database for tickets would not be an accurate reflection since the section of law written does not distinguish which species the undersized fish were. The sections of law that might be written reflects only that the violator was in possession of some sort of undersized fish.

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Seafood Dealer - Queens - (MEU and R2)

On December 14th, 2005 ECI Kevin Beiter witnessed fisherman loading illegal Blackfish onto a white van owned by a local seafood dealer. The van was followed to the company headquarters when ECO’s Gill, Glorioso, Davey, JP Powers and JM Powers arrived at the residence. There were 204 short sized Blackfish found inside the van, weighing a total of 210 lbs. The Blackfish were seized and later released in Jamaica Bay. The employee agreed to cooperate. ECO’s JP Powers, JM Powers, Davey, Reilly, Gill, DeAngelis and ECI Beiter arrived at a specified location and watched the suppliers dock and unload the Blackfish into totes on the dock. The suppliers then proceeded to carry the totes of fish up to the waiting seafood van when they were met by the Officers, and the 3 subjects were placed under arrest. ECO’s JP Powers, DeAngelis, Reilly and Gill then took the 3 subjects to the 106th precinct and then to Queens Central Booking for processing. The following morning ECO’s JP Powers and Gill met with the ADA to formally charge the 3 subjects. All 3 subjects are being charged with the following:
Fail to Possess a Food Fish License, Possession of 89 undersized Tautog (Blackfish), taking in excess of trip/bag limit (75 Tautog in excess of limit), and Illegal Commercialization of Fish. In all 105 Blackfish weighing 165 pounds were seized and released in Jamaica Bay. There were 89

short Blackfish seized, weighing a total of 119 pounds along with 16 legal sized Blackfish weighing a total of 46 pounds. The fish were weighed and then released back into Jamaica Bay.

Market Enforcement - Brooklyn - (MEU and R2)

On December 20, 2005 ECO's JP Powers, JM Powers, LaCroix, DeAngelis, Mead, Yacavone and Fetterman had a busy morning performing routine market checks in China Town (Brooklyn). By the end of the day the Officers had written 15 summons: 7 for possession of undersized Blackfish, 1 for possession of undersized Sea Bass, 4 for possession of undersized Lobsters, 1 for possession of a V-Notch Lobster, 1 for possession of untagged shellfish and 1 for noisome and unwholesome substance on a highway. A total of 29 Blackfish, 7 Sea Bass and 33 Lobsters were seized..

Keeping The Markets In Check (Borough of Brooklyn, Kings County) (MEU and R2)

On January 6, 2006, MEU ECOs Jamie Powers and Jason Powers, along with ECO Matt Lacroix, joined forces to conduct inspections of restaurants and fish markets along 8th Avenue in Brooklyn, NY. The Officers found 32 undersized lobsters including one V-notched lobster and two female lobsters that were full of eggs. At a restaurant across the street, they came across 12 short tautog swimming in a fish tank as well as untagged clams on the floor of the basement. All total were five summonses issued for the lobster, shellfish and blackfish violations. These included one restaurant which was issued a summons for undersized tautog and the untagged clams, and a supermarket, located on 8th Avenue, Brooklyn which was issued three misdemeanor charges for the lobster offenses. The defendants are scheduled to appear in Kings County Court. Thirty-two Lobsters and twelve Blackfish were seized and later released to the waters of New York State without harm.

Sharks! (Borough of Brooklyn, Kings County) (MEU and R2)

On January 25, 2006, ECI Kevin Beiter was investigating a complaint of illegal clams being stored at a warehouse operated by the Selus Fishing Co. Ltd. in Brooklyn when he discovered shark fins stored in boxes in the warehouse. Shortly afterward, Marine Enforcement Officers Jason Powers and James Davey received a call from ECI Beiter for assistance. ECO Powers then contacted NOAA Special Agent Jim Cassin who then also responded to assist. Upon arrival, Special Agent Cassin recognized that one of the boxes contained shark fins that were from a Great White Shark, which are illegal to possess. The remaining fins could not immediately be identified. Samples of the fins were sent to Florida for further identification and analysis. Approximately eighty-three pounds of shark fins were seized including 21.9 pounds of Great White Shark Fins. Selus Fishing Co., of 12 Lombardy Street in Brooklyn, was in violation of federal regulations with regard to the illegal possession of shark fins. Additionally, they were cited for failing to possess a Food Fish and Crustacea Dealer/Shippers Permit, and possessing two undersized tautog. These cases are pending and Selus Fishing Company will be dealt with accordingly upon the verification of the identity of the remaining shark fins.

Short Fish (Borough of Brooklyn, Kings County) (MEU and R2)

On March 14, 2006, at approximately 11:30am, ECOs Matthew LaCroix and Jamie Powers, were conducting fish market checks between 6th and 8th Avenues in Brooklyn's Chinatown. ECOs LaCroix and Powers entered one of the restaurants in the area that was known to sell fish. After entering the establishment, the ECOs noticed a tank with many live and undersized Tautog. Once the Officers had measured seven of the ten fish in the tank and found that they were under the required 14" commercial size length, they seized the short fish and returned them alive to the water. ECO LaCroix issued a summons to the restaurant for possession of undersized species with an added charge of illegally commercializing wildlife.

Undersized Blackfish (*Borough of Brooklyn, Kings County*) (MEU and R2)

While performing routine market checks on March 15, 2006, MEU Officer Jamie Powers along with Region 2 ECO Matt Lacroix, discovered seven undersized Blackfish in a fish tank at a seafood store located on 62nd Street in Brooklyn. The restaurant was issued the appropriate summons and is scheduled to appear in Kings County Court.

Lobster Enforcement (*Town of Southold, Suffolk County*) (MEU & R1)

On April 7, 2006, ECO Paul Hatch finally caught up with a lobsterman who had abandoned his lobster gear in the vicinity of Constellation Rock in Block Island Sound, East Hampton. During the summer of 2005, Officer Hatch, along with Officer Todd Smith and several other ECOs on several occasions, hauled some of this abandoned gear. The original complaint came from a sport fisherman who fished this area quite often and complained that this gear never seemed to be tended. The Officers confirmed this when the gear was hauled. Hundreds of pounds of fish and lobsters were released alive from the pots. It was impossible to know how many fish and lobsters may have died in these pots during the time they were not tended. The fish were so tightly packed in the pots that their fins were worn off. The few lobsters were in a very weak state also. Officer Hatch charged the lobsterman with 36 misdemeanors and 32 violations for violations of the lobster regulations.

Marine Commercial Fishing (*Village of Greenport, Suffolk County*) (R1)

On May 11, 2006, ECO Gary Enright was on routine patrol at the Village of Greenport checking on commercial and recreational fishing activity. While patrolling to a popular launch ramp area, ECO Enright noticed a well known commercial fisherman working on the deck of his commercial trawler. ECO Enright decided to check this individual for the first time in 2006. As ECO Enright approached the boat, he noticed that the fisherman was cleaning debris from his net. ECO Enright also noticed four fish boxes sitting on the deck. This seemed a little strange because the shipping dock is just across the creek from where this fisherman moors his boat. He usually stops and ships the days catch before tying up at his slip. A routine check revealed one minor violation of mixing butterfish in the same carton with a regulated quota species of summer flounder. ECO Enright warned the fisherman for this minor offense. Just as ECO Enright was about to depart, he noticed a partially hidden fish box sitting on the dock. A check turned up a full carton of freshly iced Scup/Porgy. This particular day the quota for scup was 100 pounds. Two of the fish boxes sitting on the deck of the boat contained the 100 pounds that he was permitted to take for the day. As ECO Enright questioned the fisherman, he offered an

explanation stating that his brother must have caught the fish and he was going to ship them for him. ECO Enright issued two ECATs to the fisherman charging him with taking in excess of the legal daily quota of scup and failure to tag the box of fish as required.

Little Lobsters (Borough of Brooklyn, Kings County) (R2 - MEU)

On May 13, 2006, at approximately 11:52 a.m., ECO Matthew LaCroix was working a morning shift and checked a fish market in Brooklyn. When ECO LaCroix entered the establishment, he noticed a large amount of lobsters and Tautog in the Market. ECO LaCroix began measuring lobsters in the tank to ensure they were legal. When measuring the lobsters, ECO LaCroix found 35 lobsters were under the size limit. After finding this, ECO LaCroix did a further inspection of the Market and also found four undersized Tautog in the freezers. ECO LaCroix seized the illegal fish and crustacea and issued summonses to the Market for Possession of Undersized Lobsters and Possession of Undersized Tautog, as well as Illegal Commercialization of Wildlife. ECO LaCroix notified ECO Jason Powers of the Marine Enforcement Unit of the situation and he assisted ECO LaCroix.

Outta Sight! – Outta Mind! - (Kings County, Coney Island) (MEU and R2)

On May 15th, 2006, Environmental Conservation Officer Matt Lacroix, a Brooklyn Sector Officer, received a complaint that fisherman were keeping undersized Fluke and Porgies at the Coney Island Pier. He informed Marine Enforcement Officer Jason Powers and they agreed that Officer Powers would fish at Coney Island Pier in plain clothes while observing the illegal fisherman. When Officer Powers would witness violations he then informed Officer Lacroix, who was waiting for the individuals in a nearby parking lot. Officer Lacroix issued four summons to separate individuals for the possession of undersized fish.

Mount Vernon Clean-up Day (City of Mt. Vernon, Westchester County) (R3)

On May 16, 2006, ECOs Steve Shaw and Rob Higgins decided to do some environmental quality enforcement and some commercial fish checks in the City of Mount Vernon. It did not take long for the Officers to find the first violation. As they entered the City of Mount Vernon, they noticed a heavy duty diesel vehicle emitting blue smoke. The driver was issued a violation for emitting continuous blue smoke for over three seconds. Next, the Officers went to check a fish market and issued violations for undersized fish, including porgy and winter flounder. The next stop involved a business operating an illegal solid waste transfer facility. While at the location, the Officers also noticed another truck violating air quality standards. This vehicle was tested with a smoke meter and was determined to fail the test due to black smoke emitting from the smoke stack. All of these violations were found within three blocks of each other.

Party Boat Porgy's (City of New Rochelle, Westchester County) (R3)

On May 29, 2006, ECOs Josh Crain, Chuck Wilson and Rob Higgins were on boat patrol in the Long Island Sound near the City of New Rochelle. The ECOs came up behind a large party

boat. They instructed the party boat to stop for inspection. As the ECOs approached, they noticed two deck hands on board leave the stern of the boat and go towards the opposite side of the boat out of view of the ECOs. It was not long before the ECOs saw porgies hitting the water from the opposite side of the boat. Porgy season was closed at that time. A boarding and inspection were performed by the ECOs, but no further violations were found. A summons was issued to the party boat captain for possession of porgies out of season.

Rental Fee (Long Island Sound, Nassau County) (R1)

On Sunday, June 11, 2006, ECOs Erik Dalecki, Jeremy Eastwood, and Josh Ver Hague, were on routine boat patrol in Nassau County, on the Long Island Sound, when they checked a small wooden rental boat out of City Island. The people aboard had a cooler with four undersize striped bass, and an out of season black fish. The people aboard the small wooden boat were issued tickets for undersize striped bass, over the limit on striped bass, and out of season black fish.

The Small and the Short of It (Town of Southampton, Suffolk County) (R1)

On June 15, 2006, ECO Alena Zajic was on patrol on the east side of the Shinnecock Inlet. The first two fishermen she checked were leaving and expressed their suspicions of the group fishing next to them. As the ECO approached the group, she noticed a bucket full of fish. The first two fishermen had said the group had tons of baby Blackfish. There were a lot of bergalls, no blackfish, but there was a short 24 inch striped bass. When the ECO asked who caught the bass, the guilty party came forward, and later accepted his ticket for possessing an undersized striped bass.

Coney Island Poachers (Borough of Brooklyn, Kings County) (MEU and R2)

On June 15, 2006 at approximately 3:45 pm, ECO Matthew LaCroix received a complaint of a violation in progress from Regional Dispatch that individuals at Coney Island Pier in Brooklyn were taking undersized porgies and fluke. ECO LaCroix headed down to the location which is a popular spot for poachers and notified ECO Jason Powers of the Marine Enforcement Unit of the situation. ECO LaCroix dropped ECO Powers off at the Pier in plain clothes with fishing equipment to blend in with the fishermen and to have him report to him any fishermen leaving the pier with undersized fish. The two ECOs were there only 15 minutes when they had their first client. ECO LaCroix stopped an individual who had 10 undersized porgies. Another 15 minutes went by and ECO Powers had another individual who was leaving the pier with undersized fish. ECO LaCroix apprehended the individual who had 14 undersized porgies. A short time later, ECO Powers observed a individual catch an undersized fluke, put it in a plastic bag and smash it against the pier to kill it. As he left the pier, ECO Powers contacted ECO LaCroix who stopped the individual who possessed one undersized fluke. When ECO LaCroix stopped the individual, he asked him what was in the bag. The individual replied, "A short fluke". ECO LaCroix then went up to the pier to check the rest of the fishermen and found a second individual possessing a short fluke. The Officers wrote summonses to all of the individuals and seized 26 undersized fish.

Striped Bass / Fluke / Porgy - (Suffolk County, Mattituck) (MEU and R1)

On July 4th, 2006, MEU Officer Brian Farrish, ECOs Chrisman Starczek and Shane Manns were on boat patrol on the Kingfisher out of Mattituck. Within five minutes of starting patrol, they boarded a commercial dragger that was returning to the inlet. On board, the dragger had a total of 6 striped bass and no tags. A ticket was issued for the untagged bass and the patrol continued. Throughout the course of the day, 1 navigation ticket and 4 more ECATs for out of season Blackfish and undersize fluke and porgy were issued to recreational fishermen on the water.

Seafood Platter (Town of Southold, Suffolk County) (MEU and R1)

On July 7, 2006, ECOs Thomas Gadomski, Todd Smith and Brian Farrish set out on a boat patrol on the Long Island Sound, from the newly opened DEC boat ramp on Mattituck Creek. The mission of the day was to check lobster gear. However, before pulling a trap, the ECOs noticed a small aluminum boat with three men in it, dangerously close to some rocks. As the ECOs approached to check the boat for safety equipment, they could see several small scup floating around the boat. When told that the ECOs were going to check their catch, one of the men said that they threw all the undersized fish back. He was partially right. They threw several undersized fish overboard as the ECOs approached, but missed the other 23 still in the boat. The captain was issued summonses for no PFDs, and no noise producing device. The passengers were issued a summons for possession of undersized scup, and their voyage was ended.

Tipsy Tipster (Town of Southold, Suffolk County) (R1)

On Sunday, July 16, 2006, ECO Gary Enright was working a late shift, checking recreational fishermen along the Long Island Sound shoreline. ECO Tom Gadomski was the assigned DCO (Designated Coverage Officer) working the required 1600 hours to 2400 hour shift. ECO Enright passed by an area along the shoreline, in Greenport, where new condominiums are being constructed, when he noticed two vehicles parked behind some dirt piles on the site. Being a Sunday evening, this seemed odd. Checking the area, ECO Enright discovered two groups of people on the beach, actively engaged in fishing. Noticing that the two groups were separated, ECO Enright enlisted the assistance of ECO Thomas Gadomski, to conduct a compliance check. ECO Enright approached a male subject standing on the beach, sporting a Corona beer, but no fishing pole. Standing in front of the man was a bucket, which contained 19 undersized scup. When questioned, the man explained in slurry Corona beer language, that two of his friends had caught the fish. ECO Gadomski came over after checking his group, and reported no violations. The friends of the Corona man showed up, and admitted to catching the undersized scup in the bucket. Just as the two ECOs were headed to their vehicle, the Corona man whispered to ECO Enright "check in the bushes that other group has been taking small fish all day." ECO Gadomski subsequently found a cooler hidden in the reeds, containing 23 undersized scup. In all, four Environmental Conservation Appearance Tickets were issued for taking undersized scup.

Successful Joint Patrol With USCGC Ridley (Easthampton, Suffolk County) (R1 and USCG)

On July 27, 2007, ECO Billotto patrolled Gardner's Bay, Fisher's Island Sound, Long Island Sound, and Block Island Sound, on board the USCG 87- foot cutter Ridley. The joint boarding team conducted numerous commercial lobster trawler vessel inspections, with several voyages being terminated for safety violations. In addition, the team conducted numerous recreational vessel checks, which resulted in numerous safety violations, and about six vessels found to be using short porgies and black sea bass for striped bass bait, with some fish being as short as 4 inches. In one particular case, a commercial hook and line vessel, one out of Three Mile Harbor, East Hampton, was approached by the boarding team, and the two fishermen who were known to ECO Billotto, greeted the boarding team with "Hello Joe we were already checked this morning by your patrol boat, we had nothing on board, you don't have to check us again." Apparently, this vessel was checked by the crew of DEC Vessel A-1 (the MEU 42ft. Duffy and Duffy), on an early morning patrol. ECO Billotto ignored the captain's attempt to avoid another inspection, and went on board, and found eight untagged striped bass. The captain stated, "I was just going to get to tagging them." The usual scenario is the fishermen will catch as many slot size striped bass they can on their trip, and at the end of the day, they will cull out the biggest fish that they want to tag and keep for sale, and then either fillet the others, or throw them back, though most will die from being held. ECO Billotto and the OIC of the Ridley, felt it was a successful joint patrol, and will be scheduling as many as possible when the cutter is working the local area.

Are You Sure You Didn't Know the Sizes? (Town of Brookhaven, Suffolk County) (R1)

On August 1, 2006, ECO Vernon Fonda was on patrol when he noticed a boat fishing off a jetty near Mt. Sinai Harbor. The boat was staying out later than usual, so the ECO decided to watch the boat and wait for it to come in. When the boat finally came to the launch, the Officer walked up to the boat and asked them if they had any fish. They said they caught nothing. The ECO then searched the boat and found four undersized striped bass and 14 undersized porgy. Their answer for having the small fish was, "We didn't know the sizes." The appropriate paperwork (ECATs) was issued as the subjects were reminded of the regulations.

Labor Day Porgy Poachers (Town of North Hempstead, Nassau County) (R1)

On Labor Day, August 4, 2006, ECO Michael J. Unger and ECO Joshua P. Ver Hague, were on boat patrol out of Manhasset Bay on the Long Island Sound. While they were actively inspecting recreational fishermen, two small vessels were spotted, quickly speeding across the Sound toward City Island. The two ECOs investigated the situation further, and upon approach of the second vessel, a medium size cooler was spotted, and numerous fishing rods. Four men were aboard, and when asked if there were any fish aboard, only one man replied, "there are no fish on the boat." After more questions were asked, one of the men toward the bow held up two very small porgy and said, "this is all we have caught." When the ECOs got closer, a few additional short porgy were detected, scattered underneath plastic bags. Eventually, all of the fish in the cooler aboard the boat were measured, and 32 porgy were counted in all. The fishermen received two ECATs, for possession of 26 Porgy, less than 10.5 inches

When a Little Knowledge is No Help (Town of Southold, Suffolk County) (R1)

On August 5, 2006, ECOs Thomas Gadomski and Stanley Winnick, were on boat patrol in the

Peconic Bay, when a fisherman called out over his VHF radio for a "Game Warden" to patrol to Mulford Point. The fisherman then stated that there were two aluminum boats catching undersized Porgy. The Officers responded to the location. One of the two vessels had three fishermen on board, the other vessel had one fisherman. Upon questioning, the vessel with three fishermen stated that they knew the size limit was 10.5 inches. Upon measuring the fish, there were 20 undersized scup. The other vessel had no violations. The three boaters were then issued ECATs for the undersized scup.

Targeting Scup (Town of Huntington, Suffolk County) (R1 and USFWS)

On August 10, 2006, ECO Jeremy Eastwood received a call from U.S. Fish and Wildlife Agent, Rich Gamba, who informed him that there were two individuals at Target Rock National Wildlife Refuge in the Town of Huntington, taking numerous undersize scup. ECO Eastwood responded within thirty minutes to issue the two individuals' tickets for possession of undersize scup. Together, the two had a total of 44 undersize scup, ranging from six to nine inches.

All in the Family (Town of Hempstead, Nassau County) (R1)

On August 17, 2006, at approximately 1500 hours, ECO Linda Escobar was patrolling the south shore waterways off Jones Beach and Point Lookout, when she noticed a blue car parked illegally in the shrubs off of one of the Loop Parkway bridges. When she walked to the shoreline, she observed three men standing in the rocks. Two were fishing. When she gave them a verbal warning about the illegally parked/hidden car, they were a little too eager to pack up and leave. In fact, the admitted owner/driver of the car broke out into a visible sweat, and became increasingly distressed, which made ECO Escobar more suspicious. Eventually, the two elderly fishermen "wanted to tell the truth," and went back down to get the two buckets of fish they had secreted. ECATs were issued for the short scup and fluke. The driver, a commercial bus driver, had been worried his car would be towed and a V&T ticket might affect his license (and that his father, one of the elderly gentlemen fishing, was going to kill him, when he got home for taking him to an illegal spot!)

Bridging the Gap (Town of Oyster Bay, Nassau County) (R1)

On August 20, 2006, while on late night patrol, ECOs Erik Dalecki and Jeremy Eastwood, stopped at the Bayville Bridge to check for fishing activity. As the two ECOs crept slowly up to the right side of the bridge, they noticed two anglers fishing, one of which was bent over cleaning a fish. As the ECOs approached, they noticed a bag full of fish. As they sorted through the bag, five undersized striped bass, nine undersized scup, and one bluefish were found. The two anglers were issued the appropriate summonses for the striped bass and scup violations.

Sheep Pasture Stripers (Town of Oyster Bay, Nassau County) (R1)

On August 23, 2006, while on patrol on the Western North Shore of Long Island, ECO Jeremy

Eastwood received a call from Regional Dispatch Stony Brook, informing him that there were two individuals on a jetty at the end of Sheep Pasture Road in the Town of Oyster Bay keeping undersized striped bass and out of season tautog (black fish). ECO Eastwood quickly responded. Upon arrival, he discovered that the individuals had the fish buried deep under the rock of the jetty on a long stringer. The fish were seized, and the individuals received violations for undersize striped bass, over the limit striped bass, and taking tautog out of season.

Canned for a Tuna (Great South Bay, Town of Babylon) (MEU and R1)

On August 26, 2006, ECOs Eoin Snowdon and Michael Unger, returning to the Captree State Park boat launch from a weekend boat patrol of the State boat channel in the Great South Bay, observed a large boat heading west in the State boat channel, and decided to stop one last boat before putting into dock. The captain of the fishing vessel stated they were returning from a week long trip, and that they had caught a Blue Fin Tuna off of Hyannisport, Massachusetts, with some of the fishermen boasting the fish was 43, 44, or maybe even 45 inches in length. Since the minimum size for Blue Fin Tuna is 47 inches, the officer decided that an inspection of the vessel was in order. Officer Unger boarded the vessel, and was shown a cooler with approximately 16-1 gallon zip-lock bags of partially frozen tuna steaks. Since federal regulations prohibit the mutilation of the tuna carcass prior to the fish being landed, the captain was ordered to turn around and tie up the dock at Captree State Park. ECO Sean Reilly from the Marine Enforcement Unit, arrived shortly thereafter to assist. The captain claimed that they caught the fish five days prior, and butchered it three days prior, during a stop in Hyannisport, reiterating that the fish was 45 inches long. When the tuna was landed and butchered, the fisherman failed to report the landing of the undersized tuna as required by their federal HMS permit. When the officers showed the captain the condition on his permit requiring him to report the fish, they also informed him that the minimum size is 47 inches for Blue Fin Tuna. Officers Reilly and Snowdon issued the captain summonses for the tuna violations, as well as for possession of several short black sea bass and porgies they also found on board.

When Will it STOP (Town of Southold, Suffolk County) (R1)

On Sunday evening, September 10, 2006, ECO Gadomski thought it would be a good idea to check some recreational fishermen before they went back home after spending the day on the beautiful North Fork. Before heading down to the beach, ECO Gadomski watched from the top of a cliff overlooking the Long Island Sound, as several groups of people fished on the beach below. Rather than going down to the beach, where most of the fishermen could see the ECO approaching in time to discard their catch, ECO Gadomski decided to wait for them in the parking lot. Shortly before dark, small groups of fishermen began to climb up the bank to the parking lot. When it was all said and done, nine ECATs were issued, and over 150 undersized fish were seized and donated to the Southold Parish Outreach Center

Here I Am! (Town of Islip, County of Suffolk) (R1)

During the late afternoon of September 16, 2006, ECO Stephen Scognamillo noticed a fisherman fishing near a popular fishing area, but he was separated from the rest of the fishermen in the area. The Officer decided to watch the man fish for a while. After only one minute of watching,

the fisherman was reeling in a black small sea bass that appeared to be undersized. The man placed the fish in a black plastic bag next to him. The Officer watched the man keep several more similar sized fish, and decided to move in to measure the fish. The fisherman was surprised to see the Officer, and looked a bit worried. He told the Officer that he caught one fish, but it was too small, so he released it. Despite a search of the area, including a search through thick poison ivy covered brush, the Officer could not locate the bag he had seen the fish placed into. The Officer then heard the familiar of a freshly caught fish flapping around in the plastic bag. Upon finding the bag of fish, the fisherman's head went down in disgust as he knew he was caught. The bag contained ten undersized sea bass and three undersized porgy, ranging from five to seven inches in length. The man was issued the appropriate Environmental Conservation tickets.

Better Luck Next Time (Town of Babylon, Suffolk County) (MEU and R1)

On September 16, 2006, at approximately 0800 a.m. ECO Chrisman Starczek set up a surveillance along the shore of Fire Island Inlet, where he had reports of undersized fish being caught and landed. After observing several vessels through his spotting scope, he noticed the crew of two men on one boat, who were not returning their fish to the water. Further observation revealed that the fishermen were catching scup, throwing the larger ones back, but keeping the smaller ones. Officer Starczek called MEU ECO Nathan Doig for assistance. Officer Doig responded, agreeing to take ECO Starcek on the SAFE Boat nearby at the Fire Island Coast Guard Station. The ECOs arrived just in time, for as they approached, it was apparent that the two men were preparing to leave. Upon boarding the vessel, ECO Starczek discovered that the two men had thirty-two eight inch long scup on board. The men had their poles rigged for live lining bait fish for striped bass. The appropriate tickets were issued, and the men departed with having zero fish left in the live well.

Poacher Pollution (Town of North Hempstead, Nassau County) (R1)

On Wednesday, September 20, 2006, ECO Michael J. Unger, Erik Dalecki, and Jeremy Eastwood, were on boat patrol on the Long Island Sound, when they decided to inspect two small boats near City Island. Upon approaching the first boat, ECO Dalecki began to inspect the three fishermen on board. Approximately 25 yards away, two other fishermen in the other boat became restless. ECO Eastwood and Unger spotted one of the fishermen place a plastic bag into the water. Upon approach, an undersized striped bass was spotted floating out of the bag. The two fishermen were questioned and neither admitted to catching the fish, nor throwing the bag into the water. Additionally, 8 short porgy were discovered on board. The two men were issued ECATs for possession of an undersized striped bass, possession of eight undersized porgies, and also for polluting the waters of the marine district for throwing the plastic refuse overboard.

Wiping the Smile Off Their Face, (Town of Hempstead, Nassau County) (R1)

On Friday, September 22, 2006, ECOs Michael J. Unger and Joshua Ver Hague, were checking recreational saltwater fishermen, fishing under the Meadowbrook Parkway bridges. Three men were spotted fishing, and the two ECOs settled into the high weeds directly across the channel to

watch. The fishermen were observed catching tiny black sea bass, and dropping them into a bucket while smiling, and laughing. Less than ten minutes had passed, and the three fishermen had already caught several short black sea bass. Within moments, the two ECOs made their way to the fishermen. Mysteriously, the bucket which they had been putting the short fish into, was nowhere to be found. Upon further questioning, none of the men had identification and stated that they did not catch any fish all day. ECO Unger found the bucket hidden beneath weeds, about twenty-five yards away from the last fishermen. In total, thirty seven short black sea bass, and two short, out of season black fish were counted. Upon further investigation, the identity of the men was discovered and confirmed. ECATs were issued to the three men, for possession of undersize black sea bass, and black fish, as well as possession of two black fish out of season.

From the Seat of Her Pants (Town of Hempstead, Nassau Count (R1)

On September 30, 2006, at approximately 0830 hours, ECO Linda Escobar responded to a complaint via Ray Brook Dispatch, that a group of fishermen were taking illegal Blackfish at Jones Beach Fishing Pier, Field 10. When she arrived, she was met by the complainant, the owner of the Bait and Tackle Shop, who pointed to a red Kia automobile with a woman sitting in it. He had seen her fishing with others behind the bait shop, and then walking back and forth to the car where she placed something under the front seat. When ECO Escobar questioned her, she denied having any fish, until ECO Escobar pointed out the wiggling bag under her seat. In it were seven undersized, and out of season Blackfish. ECATs were issued for the violations, and the fish were returned to the sea. When ECO Escobar checked the others in the group, one undersized scup was found hidden under a pot. An ECAT was issued to that individual, as well.

The Fall Fishing Games Begin (Town of Southold, Suffolk County) (R1)

During the month of October, ECO Gary Enright encountered a sampling of the variety of tactics some recreational fishermen will resort to in order to keep undersized fish. While working as the designated coverage officer (DCO), ECO Enright conducted numerous compliance checks of recreational fishermen. One night, at approximately 11:30 P.M., at Trumans Beach in Southold, ECO Enright waited for two fishermen, who were returning to their vehicle. When close enough to spot the State patrol car, both fishermen casually placed the buckets they were carrying behind some bushes. When ECO Enright asked how successful they had been, both men explained that the fishing was terrible, and they had not caught a thing. A subsequent check of the buckets, revealed seventeen undersized scup and one undersized Blackfish. The fishermen were issued the appropriate Environmental Conservation Appearance Tickets.

In another incident, ECO Gary Enright was patrolling the area beaches and launch ramp areas on a beautiful sunny fall day. This day being a Sunday, resulted in numerous fishermen taking advantage of the weather, and the fall fishing activity. While checking fishermen at Youngs Road, Orient, some local residents advised that a group of fishermen to the east, appeared to be taking undersized fish. ECO Enright conducted a foot patrol and found the four fishermen. Three of the men were huddled in close proximity and the fourth was about twenty-five yards away. Upon approaching the group of three, ECO Enright noticed one man casually cleaning undersized Blackfish. As ECO Enright began measuring fish, he ordered the fourth fisherman to come over to him and bring his bucket. The fisherman complied, but first reached in his bucket

and removed one fish, and covered it with his jacket. Thinking that ECO Enright had not noticed his tactics, he walked over with his bucket, which ironically contained seventeen undersized scup. ECO Enright walked over to check what was under the jacket. For some unknown reason, the man had placed one five-inch Blackfish under the jacket. In total, the group had sixty-three undersized scup, and four undersize Blackfish. Environmental Conservation Appearance Tickets were issued to all four men.

Shorts On a Party Boat (*Atlantic Ocean, Suffolk County*) (MEU and R1)

On October 10, 2006, during a boat patrol on one of the DLE's Safe Boats, ECOs Shane Manns, Nathan Doig, and Sean Reilly, were conducting numerous boardings of recreational fishing vessels, when they decided to do a boarding on a commercial party boat. During the approach to board the vessel, the mate on board the party board, decided to empty the contents of a bucket into the water. ECO Reilly then notified the entire crew of the vessel, via loud speaker that "No one was to dump anything else over board." Upon boarding, ECOs Manns and Doig, completed several compliance checks of all the clients on board the party boat. Every fisherman on board, except for one individual, was found to be in possession of numerous undersized scup, black sea bass, and weakfish. Each fisherman was issued the appropriate violation of being in possession of undersized fish.

Good Bait, But Illegal (*Town of Islip, County of Suffolk*) (MEU and R1)

On October 14, 2006, while on boat patrol in the Fire Island Inlet, a popular marine recreational fishing area, Officers Stephen Scognamillo, Brian Farrish and Jason Curinga, noticed a party/charter boat. This was not an uncommon site, but what caught their attention was two small fish that were reeled in, and did not seem to be released back into the water. The Officers decided to do an inspection. Officers Curinga and Scognamillo, boarded the boat, and inspected the customer's catch. Green crabs stored in burlap bags seemed to be the bait of choice, but officer Scognamillo noticed one burlap bag that seemed to be out of place. It was tied in a knot, and submerged in a large pail of water, set back behind some equipment. Sure enough, the bag contained ten undersized live Blackfish that were perfect size for striped bass bait. The Mate of the ship, who takes care of the fishermen customers' needs, admitted that the fish were his, and that he was in fact, keeping them for bait for himself for striped bass fishing. The appropriate ticket was issued and the fish released.

Party Boat Commercialization (*Hamlet of Sheepshead Bay, Kings County*) (MEU and R2)

On July 30, 2006, MEU Officer Jamie Powers joined forces with ECOs Brandon Chamberlin and Matthew LaCroix. The Officers decided to set up in Sheepshead Bay in hopes of some of the party boats selling fish. Officer Chamberlin in plain clothes sat at the docks looking for illegal activity. When the Jet, a party boat, came into dock, ECO Chamberlin witnessed the captain selling fish (mostly undersized) to individuals waiting at the dock. That's when ECOs Powers

and LaCroix walked over to the scene. They found the captain in possession of 21 undersized Porgy and seven undersized Sea bass. The captain admitted to selling the fish and was charged with possession of the undersized fish along with taking Sea Bass for commercial purposes while on a party boat. He is also facing illegal commercialization penalties. Several of the passengers were also issued summonses, including possession of three Tautog out of season, possession of three undersized Tautog, possession of five undersized Porgy and possession of twelve undersized Porgy.

Navigation Around the Law (*Hamlet of Sheepshead Bay, Kings County*) (MEU)

On July 31, 2006, MEU Officers Jamie Powers, James Davey, Sean Reilly and Nathan Doig were on a routine Atlantic Ocean boat patrol. While passing over Rockaway Reef, the Officers noticed fish going over the side of a party charter boat out of Sheepshead Bay in Brooklyn, NY. Upon boarding the vessel, ECOs Davey and Powers discovered three large coolers filled to capacity with a variety of undersized fish species. The party boat company was subsequently charged with possession of 140 undersized Porgy, 115 Porgy over the bag limit, possession of four undersized Tautog, possession of four Tautog out of season, possession of 21 undersized Sea Bass and taking Sea Bass for commercial purposes while on a charter boat. All charges will incorporate the illegal commercialization of wildlife penalty in the ECL

Sound Enforcement (*Nassau, Bronx and Westchester Counties*) (MEU, R1, R2 and R3)

On August 3, 2006, ECOs Michael Unger, Joshua Crain, Chuck Wilson and Robert Higgins all patrolled on A5 and ECOs Jamie Powers, James Davey and Tim Card were on A3. The ECOs checked gear from a lobsterman of the Bronx. They found undersize vents and escape panels on pots along Harts Island, Bronx County. They found the same, plus missing allocation tags, on pots along Sands Point in Nassau County. ECO Unger issued tickets returnable to Nassau District Court for the tagging violation and for the misdemeanors of undersize vents and escape panels. ECO Card issued the lobsterman tickets for the undersized vents and escape panels, returnable to Bronx Criminal Court. Two sets of lobster gear were pulled near Rat Island in the Bronx. All the pots had the vents and escape panels intentionally obstructed. ECO Card will be issuing tickets for the offenses to the permit holder. During the patrol, the ECOs checked a boat that was porgy fishing in Westchester. The fishermen gladly showed the porgies in the cooler. When asked to open a hatch on the boat, the men became nervous and said there was nothing in there. The ECOs found 27 undersize porgies hidden below the hatch. ECOs Higgins and Wilson issued each of the three men ECATs for the illegal fish.

What Cooler? (*Hamlet of Lido Beach, Nassau County*) (MEU and R1)

On July 26, 2006, ECOs Sean Reilly, George Wilber and Eoin Snowdon conducted a boat patrol on A5 with a senior chief from USCG Jones Beach. The Officers pulled alongside a boat fishing in Reynolds Channel and asked if they had any fish. The three men showed the Officers some buckets of porgies and black sea bass. The Officers took the fish onto A5 to measure. One of the men did not look happy to be checked. The Officers asked if there were any other fish

onboard. The men said that all the other fish they caught were put back in the water. ECOs Snowdon and Wilber measured the fish and found nearly half of them short. The ECOs returned to the men and asked how they measured the fish to believe they were legal. The operator of the boat showed how he measured the short fish, and it measured more than the ECO's measurement had, but still was short. The ECOs once again asked if there were any fish on board and were told no. The ECOs looked through the coolers and asked to see the buckets. ECO Reilly asked for the bucket stuffed behind the cooler. The men said, "What cooler?" ECO Wilber asked for the same cooler and the men still played dumb. ECO Wilber stepped over and retrieved the cooler and found the bucket contained porgies that were even smaller than the ones the ECOs had already measured. ECO Snowdon issued each of the three men two ECATs for the short sea bass and porgies.

Undersized Fish For Bait (*Hamlet of Mattituck, Suffolk County*) (MEU and R1)

On August 4, 2006, MEU Officer Brian Farrish and ECO Joe Billotto were on boat patrol out of Mattituck inlet on the Kingfisher when the first boat they approached for the day decided to dump what they had in their bucket overboard. Unfortunately, they did not have enough time to get rid of what was in their live well. On board they had several short porgies and a very small fluke. They admitted that they were going to use them for striped bass bait later that day. Three ECATs and three Navigation tickets were issued and their day was ended for not having enough PFDs.

More Undersized (*Hamlet of Mattituck, Suffolk County*) (MEU and R1)

On August 13, 2006, MEU Officers Brian Farrish, Todd Smith and ECO Stan Winnick were on boat patrol out of Mattituck inlet on the Kingfisher checking several recreational fisherman when the Officers came across one boat, anchored, with three people on board and a large cooler full of fish. Officer Stan Winnick boarded the boat and after checking all the fish in the cooler found no violations. Upon further investigation of the cabin below, a black bag and another small cooler were found containing a total of 28 short porgies and 11 short sea bass. Each person on the boat was issued two ECATs for a total of six tickets.

Also on August 13, 2006, ECOs Todd Smith, Brian Farrish and Stan Winnick conducted a recreational fishing patrol of Eastern Long Island Sound. A total of seven ECATs were issued by ECO Winnick for various species of undersize fish.

Short Fluke - (*Suffolk County, Mattituck*) (MEU and R1)

On August 19th 2006, MEU Officer Brian Farrish and ECO Chrisman Starczek were on boat patrol out of Mattituck inlet on the Kingfisher checking recreational boats as they headed east to Gardiner's Bay when they came across a vessel with 3 POB's fishing close to shore. On board they had several short porgies. An ECAT was issued and the boat patrol continued. Later that day while checking fluke fishermen off Gardiner's Island, ECO Starczek boarded a boat and found 3 short fluke. When asked if they knew the size limit they replied it is 17 inches. The three

fish were all under 16 inches. An ECAT was issued for undersize fluke.

Interstate Co-Op - (Raritan Bay, Staten Island) (MEU and R2)

On August 19th, 2006, Marine Enforcement Officers Reilly, Davey, Jason and Jamie Powers, and ECOs Lacroix, and Yacavone participated in a joint enforcement detail with the New Jersey Fish and Wildlife Bureau. The ECOs patrolled on A3 and A5 and the New Jersey Environmental Conservation Officers were on their 25' Steiger. They teamed up for a focused enforcement on New York Bight and Raritan Bay. The ECOs issued two recreational vessels two tickets each for undersize sea bass and porgy. A patron on a charter boat was issued two tickets for short sea bass, and out of season Blackfish. A vessel was boarded and found to have seven short and five over limit striped bass. The owner was also ticketed for fail to release without unnecessary injury for a fish that was put back into the water nearly dead as the officers approached. There were a total of 11 Summonses issued by New York ECOs for various violations, including 4 for striped bass. The operation was considered a huge success and both agencies are looking forward to continue working together in the future.

Bridging the Gap (Town of Oyster Bay, Nassau County) (R1)

On August 20, 2006, while on late night patrol, ECOs Erik Dalecki and Jeremy Eastwood, stopped at the Bayville Bridge to check for fishing activity. As the two ECOs crept slowly up to the right side of the bridge, they noticed two anglers fishing, one of which was bent over cleaning a fish. As the ECOs approached, they noticed a bag full of fish. As they sorted through the bag, five undersized striped bass, nine undersized scup, and one bluefish were found. The two anglers were issued the appropriate summonses for the striped bass and scup violations.

Undersize Sea Bass - (Suffolk County, Fire Island Inlet) (MEU and R1)

On August 30th 2006, MEU Officer Brian Farrish and ECO Steve Scognamillo were on boat patrol out of Timber Point on the 21 ft. Whaler checking several recreational fishing vessels. As the Officers approached one boat, an occupant started dropping fish into the water. The individual was told not to throw any more fish overboard. He continued to gently drop the fish over the side of the boat one at a time. Upon checking the boat, the Officers discovered he was using small porgies and sea bass for bait. ECO Steve Scognamillo issued three ECATS, for undersize porgies, sea bass, and for dumping upon signaling to stop.

Porgy Player Can't Quit (Borough of Brooklyn, Kings County) (R2)

On August 30, 2006, ECO John Lifrieri approached a fisherman as the last check on the Belt Parkway bike path. After checking the fisherman's bucket, the ECO discovered 38 short porgies; all less than six inches. He was issued a summons for 38 counts of possession of an undersized marine species, a summons for 13 counts of over the limit and a summons for 38 counts of failure to release with out undue harm. On September 8th, roughly one week later, the same fisherman, in the exact same spot, with the exact same type of bucket was catching the exact same species and threw some back into the water as ECOs Darci Dougherty and John

Lifrieri approached. Unfortunately for him, he still had one short porgy in his bucket, admitting that he had a “short” fish. He was issued another summons for possession of undersized species for a separate return date.

Who’s Fish Are These? - (Kings County, Jamaica Bay) (MEU and R2)

On Sunday, September 3rd, 2006, ECOs Matt Lacroix and James Davey were patrolling near Gerritsen Creek in Jamaica Bay. Upon approaching three individuals, Officer Lacroix located a bag holding 17 undersized porgy and 1 short tautog. Officers questioned the fishermen separately and none of them seemed to want to claim responsibility for the fish. Eventually one of the men decided to confess and was issued two summonses for undersized marine species and an out of season tautog.

Labor Day Porgy Poachers (Town of North Hempstead, Nassau County) (R1)

On Labor Day, September 4, 2006, ECO Michael Unger and ECO Joshua Ver Hague, were on boat patrol out of Manhasset Bay on the Long Island Sound. While actively inspecting recreational fishermen, two small vessels were spotted quickly speeding across the Sound toward City Island. The two ECOs investigated the situation further and upon approach of the second vessel, a medium size cooler was spotted, and numerous fishing rods. Four men were aboard and when asked if there were any fish aboard only one man replied, "there are no fish on the boat." After more questions were asked, one of the men toward the bow held up two very small porgy and said, "This is all we have caught." When the ECOs got closer, a few additional short porgy were detected scattered underneath plastic bags. Eventually, all of the fish in the cooler aboard the boat were measured and 32 porgy were counted in all. The fishermen received two ECATs for possession of 26 Porgy less than 10.5 inches.

Southold Shorts (Town of Southold, Suffolk County) (R1)

On Sunday evening, September 10, 2006, ECO Gadomski thought it would be a good idea to check some recreational fishermen before they went back home after spending the day on the beautiful North Fork. Before heading down to the beach, ECO Gadomski watched from the top of a cliff overlooking the Long Island Sound as several groups of people fished on the beach below. Rather than going down to the beach, where most of the fishermen could see the ECO approaching in time to discard their catch, ECO Gadomski decided to wait for them in the parking lot. Shortly before dark, small groups of fishermen began to climb up the bank to the parking lot. When it was all said and done, nine ECATs were issued and over 150 undersized fish were seized and donated to the Southold Parish Outreach Center.

Here I Am! (Town of Islip, County of Suffolk) (R1)

During the late afternoon of September 16, 2006, ECO Stephen Scognamillo noticed a fisherman fishing near a popular fishing area, but he was separated from the rest of the fishermen in the area. The Officer decided to watch the man fish for a while. After only one minute of watching, the fisherman was reeling in a black small sea bass that appeared to be undersized. The man

placed the fish in a black plastic bag next to him. The Officer watched the man keep several more similar sized fish, and decided to move in to measure the fish. The fisherman was surprised to see the Officer, and looked a bit worried. He told the Officer that he caught one fish, but it was too small, so he released it. Despite a search of the area, including a search through thick poison ivy covered brush, the Officer could not locate the bag he had seen the fish placed into. The Officer then heard the familiar of a freshly caught fish flapping around in the plastic bag. Upon finding the bag of fish, the fisherman's head went down in disgust as he knew he was caught. The bag contained ten undersized sea bass and three undersized porgy, ranging from five to seven inches in length. The man was issued the appropriate Environmental Conservation tickets.

Better Luck Next Time (Town of Babylon, Suffolk County) (MEU and R1)

On September 16, 2006, at approximately 0800 a.m. ECO Chrisman Starczek set up a surveillance along the shore of Fire Island Inlet, where he had reports of undersized fish being caught and landed. After observing several vessels through his spotting scope, he noticed the crew of two men on one boat who were not returning their fish to the water. Further observation revealed that the fishermen were catching scup, throwing the larger ones back, but keeping the smaller ones. Officer Starczek called MEU ECO Nathan Doig for assistance. Officer Doig responded, agreeing to take ECO Starczek on the SAFE Boat nearby at the Fire Island Coast Guard Station. The ECOs arrived just in time. As they approached, it was apparent that the two men were preparing to leave. Upon boarding the vessel, ECO Starczek discovered that the two men had thirty-two eight inch long scup on board. The men had their poles rigged for live lining bait fish for striped bass. The appropriate tickets were issued and the men departed with having zero fish left in the live well.

Marine Fishing in Babylon - (Suffolk County)(MEU and R1)

On September 16, 2006, Officer Chrisman Starczek was hiding in the brush overlooking the Sore Thumb watching fishermen with a telescope. He started watching a boat that looked like it was taking short porgy. After watching them for some time he called MEU Officer Nathan Doig, who was in the area. MEU Officer Doig and ECO Starczek met at the United States Coast Guard Station at Fire Island and jumped on the Safe Boat. About 5 minutes later they pulled up to the boat and ECO Starczek boarded the vessel. The individuals were in possession of 32 short porgy. Two tickets were written and the porgy were released back into the water.

Petite Porgies (Long Island Sound, Westchester County) (R3)

On September 18, 2006, ECOs Josh Crain and Rob Higgins were on boat patrol on the Long Island Sound investigating a complaint. On the way to the complaint, the ECOs stopped three vessels to see how the fishing was. Apparently the fishing was great for short Porgies since the ECOs issued seven tickets to seven different people for possession of short Porgies. The tickets were all returnable to the City of New Rochelle Court.

Greedy Fisherman Become the Catch (Borough of Brooklyn, Kings County) (R2)

On September 19, 2006, ECO Matthew LaCroix received a call on his Residence Office phone

line from a complainant in Sheepshead Bay who was watching individuals catch over their limit of fish and return back to their vehicles and hide them in the truck. ECO LaCroix dispatched himself and went to the scene. ECO LaCroix arrived shortly after the complainant contacted him and set up with binoculars to observe from approximately three blocks away, watching the individuals who were fishing along a stone wall. ECO LaCroix observed one of the individuals the complainant described run back to his vehicle with a bag. ECO LaCroix confronted this individual just as he opened the trunk of his car. The individual showed ECO LaCroix a bag of 10 snappers which is the limit and legal to have. However, sitting in the corner of his truck behind a cooler was another bag with 11 more snappers. ECO LaCroix issued the individual two summons for possession of undersized marine species and possession of marine species over the daily limit. As ECO LaCroix was issuing this individual his summons, the other poacher that the complainant described was coming to his vehicle with a bag full of fish. ECO LaCroix then confronted the other poacher who showed him a bag of 14 snappers, four over the limit. As ECO LaCroix was looking for more fish, the individual then tried taking fish out of the bag and throwing them under his car thinking that the ECO had not counted them yet. Unbeknownst, to him, ECO LaCroix was watching him do this. This individual was issued two summons for possession of undersized marine species and possession over the daily limit.

Poacher Pollution (Town of North Hempstead, Nassau County) (R1)

On Wednesday, September 20, 2006, ECO Michael J. Unger, Erik Dalecki, and Jeremy Eastwood, were on boat patrol on the Long Island Sound, when they decided to inspect two small boats near City Island. Upon approaching the first boat, ECO Dalecki began to inspect the three fishermen on board. Approximately twenty-five yards away, two other fishermen in the other boat became restless. ECO Eastwood and Unger spotted one of the fishermen place a plastic bag into the water. Upon approach, an undersized, dead striped bass was spotted floating out of the bag. The two fishermen were questioned and neither admitted to catching the fish, nor throwing the bag into the water. Additionally, eight short porgy were discovered on board. The two men were issued ECATs for possession of an undersized striped bass, possession of eight undersized porgies, and also for polluting the waters of the marine district for throwing the plastic refuse overboard.

Wiping the Smile Off Their Face, (Town of Hempstead, Nassau County) (R1)

On Friday, September 22, 2006, ECOs Michael J. Unger and Joshua Ver Hague, were checking recreational saltwater fishermen, fishing under the Meadowbrook Parkway bridges. Three men were spotted fishing, and the two ECOs settled into the high weeds directly across the channel to watch. The fishermen were observed catching tiny black sea bass, and dropping them into a bucket while smiling, and laughing. Less than ten minutes had passed, and the three fishermen had already caught several short black sea bass. Within moments, the two ECOs made their way to the fishermen. Mysteriously, the bucket into which they had been putting the short fish, was nowhere to be found. Upon further questioning, none of the men had identification and stated that they did not catch any fish all day. ECO Unger found the bucket hidden beneath weeds,

about twenty-five yards away from the last fishermen. In total, thirty seven short black sea bass, and two short, out of season black fish were counted. Upon further investigation, the identity of the men was discovered and confirmed. ECATs were issued to the three men, for possession of undersize black sea bass, and black fish, as well as possession of two black fish out of season.

A School Of Summonses In Kings County (Jamaica, Kings County) (MEU and R2)

On September 30, 2006, ECOs Jason DeAngelis, Brandon Chamberlin, Jamie Powers and James Davey set out on a routine B3 Kingfisher patrol on Jamaica Bay. Recreational fishing checks were planned for an area off of Floyd Bennet Field where weak fish had been showing up in large schools. Upon conducting numerous boardings of vessels in the area, the Officers decided to lay in wait for vessels passing through the “hot spot” coming off of Rockaway Reef. Within a time period of four hours, over 100 fish were seized including Porgy (Scup), Fluke, Tautog (Blackfish) and Sea Bass. Thirty-six summonses were issued for various violations including undersized marine species, marine species taken out of season and failure to release without undue harm.

Porgy Patrol (City of New Rochelle, Westchester County) (R3)

In September, ECO Josh Crain was on patrol for saltwater fishing violations in the City of New Rochelle. As ECO Crain entered Glen Island Park, he noticed that there was an especially large number of fishermen on the breakwall in the park. The ECO watched several fisherman catch fish, some of which were released and some that were placed into the fishermen’s buckets. As darkness approached, the men began to come off the breakwall and the ECO checked their gear for fishing regulation compliance. The inspection revealed that several men were in possession of undersized scup and fluke. The individuals were issued summonses for possession of undersized scaup and fluke. The cases are pending in the City of New Rochelle Court.

Flies Like A Butterfly & Stings Like A Bee, Here Are 9 Summonses For You and Me (Hamlet of Jamaica Bay, Queens County) (MEU and R2)

On October 7, 2006, MEU Officers Jason and Jamie Powers were accompanied by ECO Jason DeAngelis on an A3 Patrol in Jamaica Bay. On their way back to US Park Police - Rockaway, Officer Jamie Powers noticed a vessel that was tied to a pillar supporting the Cross Bay Railroad Bridge. There were two individuals occupying the vessel and the Officers were informing the individuals that they cannot moor within 75 feet of the bridge. The vessel occupants then informed the Officers that their engines would not start and asked the Unit for some assistance. Officer Powers noticed that one of the members of the vessel scurried underneath the bow and, therefore, asked the individuals if they had any fish on board. They immediately replied, “No”. When Officer Powers went aboard and checked underneath the bow, he found a bucket and bag of numerous undersized species. The two men received a total of nine summonses for numerous violations involving the possession of undersized species and are scheduled to appear in Queens County Court.

Shorts On a Party Boat (Atlantic Ocean, Suffolk County) (MEU and R1)

On October 10, 2006, during a boat patrol on one of the DLE's Safe Boats, ECOs Shane Manns, Nathan Doig, and Sean Reilly, were conducting numerous boardings of recreational fishing vessels, when they decided to do a boarding on a commercial party boat. During the approach to board the vessel, the mate on board the party boat decided to empty the contents of a bucket into the water. ECO Reilly then notified the entire crew of the vessel, via loud speaker that "No one was to dump anything else over board." Upon boarding, ECOs Manns and Doig, completed several compliance checks of all the clients on board the party boat. Every fisherman on board, except for one individual, was found to be in possession of numerous undersized scup, black sea bass, and weakfish. Each fisherman was issued the appropriate violation of being in possession of undersized fish.

Déjà Fluke (*Hamlet of Jamaica Bay, Queens County*) (MEU and R2)

On October 9, 2006, Officers Jason Powers, Jamie Powers, Jason DeAngelis, Russell Fetterman and Ricardo Grisolini were on A3 patrol in Jamaica Bay. Toward the end of their tour, the Officers recognized a vessel that they had checked the previous week. A week prior, the same boat and its crew were issued 13 summonses and the Officers had seized three, five-gallon buckets of undersized Sea Bass, Fluke, Tautog and Porgy. When the Officers inspected the vessel this time, the captain assured them that there were no short fish on board. Upon opening the lazaret, the Officers were appalled to discover the captain had been dishonest with them. Again the captain was issued numerous summonses for undersized species and species taken out of season.

Lie To Me Once, Shame On Me; Lie To Me Twice, Five Summonses for Thee!
(*Hamlet of Flushing, Queens County*) (MEU and R2)

On October 10, 2006, Officers Jeffrey Conway, James Davey and Jamie Powers were conducting market checks in Flushing Queens. Earlier in the day a restaurant was given a warning for possessing a couple of undersized Tautog. A few hours later, the Officers were inspecting a fish truck up the road from the restaurant when they found a container in the back of the truck containing Largemouth Bass. The driver was issued a summons for the illegal sale of Black Bass and a summons for not possessing a valid food fish license. When the Officers were finished with the truck, they decided to pay another visit to the same restaurant they had issued a warning to earlier. When the Officers entered the restaurant, they were told they had learned their lesson and did not have any illegal fish. The Officers decided to have a look in the basement. They came across a hidden tank loaded with 26 Black Bass. The Officers then performed a detailed search of the restaurant. A total of five summonses were issued.

Good Bait, But Illegal (*Town of Islip, County of Suffolk*) (MEU and R1)

On October 14, 2006, while on boat patrol in the Fire Island Inlet, a popular marine recreational fishing area, Officers Stephen Scognamillo, Brian Farrish and Jason Curinga, noticed a party/charter boat. This was not an uncommon sight, but what caught their attention was two small fish that were reeled in, and did not seem to be released back into the water. The Officers decided to do an inspection. Officers Curinga and Scognamillo, boarded the boat, and inspected the customer's catch. Green crabs stored in burlap bags seemed to be the bait of choice, but

officer Scognamillo noticed one burlap bag that seemed to be out of place. It was tied in a knot, and submerged in a large pail of water, set back behind some equipment. Sure enough, the bag contained ten undersized live Blackfish that were perfect size for striped bass bait. The Mate of the ship, who takes care of the fishermen customers' needs, admitted that the fish were his, and that he was in fact, keeping them for bait for himself for striped bass fishing. The appropriate ticket was issued and the fish released.

Short Porgy Mt. Sinai (Town Of Brookhaven) (MEU)

On October 16th 2006 while on patrol ECO Nathan Doig went down to the Mt Sinai Docks to check some people fishing. ECO Doig parked his truck in the back lot and then walked down to the dock in street clothes. Officer Doig noticed 3 people fishing on the rock jetty near the dock. They were catching a few porgy. When ECO Doig watched them reel in a few short porgy he let them know that the legal size for porgy was 10.5 inches. They said "Oh yeah they are all bigger than that." Officer Doig continued to watch them and after they caught about 2 more that looked to be short he went down to the rocks and identified himself. Officer Doig wrote one ticket for possession of 4 short porgy.

"Sort of" Fish (Town of Hempstead, County of Nassau) (MEU)

On October 16, 2006, while ECO Sean Reilly was on patrol, a complaint of people taking short Blackfish at the Pt. Lookout jetties was called into DLE Dispatch. The next morning, ECO Reilly sat with the spotting scope and watched a man on one of the jetties placing Blackfish into his bucket. As the man left the jetty with another man, ECO Reilly drove around to that side of the parking lot and began to walk out to the path. As the men got to the path they saw ECO Reilly and turned around to go back onto the beach. ECO Reilly jogged up to the men and asked them if they had any fish. They both said, "Sea Bass". ECO Reilly asked if there were any other types of fish in the bucket? Their reply was, "Sort of". ECO Reilly asked if he were going to find Blackfish in the bucket and heard a solemn, "Yes". ECO Reilly issued one brother an ECAT for undersize sea bass and the older brother two for undersize sea bass and Blackfish out of season.

Chunk of Blackfish- (Town of North Hempstead, Nassau County) (MEU and R1)

On Thursday October 19th , 2006 ECOs Brian Farrish, Jeremy Eastwood and Michael Unger were checking recreation saltwater fisherman by boat on Long Island Sound in the vicinity of City Island. Approximately ten boats were all fishing in the same area. A few boats were checked by the ECOs and everyone had legal size Blackfish and proper boater safety equipment. While conducting inspections a few boats slowly left the area and were not checked. Later on in the day one of the boats that the ECOs missed was observed further west on the sound and was inspected. Everything look in order until ECO Farrish noticed a small chunk of Blackfish hanging off one of the fishing hooks which was aboard. The fisherman who was using the Blackfish claimed responsibility and admitted he was using undersize Blackfish for bait. The fisherman was issued an ECAT for possession of undersize Blackfish. Additionally during the remainder of the boat patrol other fisherman were found to be in possession of undersize Blackfish.

Undersize Sea Bass and Tautog - (Town of Islip, Suffolk County) (MEU and R1)

On October 22nd 2006 MEU Officer Brian Farrish and ECO's Jason Curinga and Steve Scognamillo were on boat patrol out of USCGS Fire Island on A5 conducting random recreational boats in the Fire Island inlet area. Officer Brian Farrish noticed one boat keeping some really small fish while a boarding of another boat was being conducted by Officers Steve Scognamillo and Jason Curinga. After that check was complete the Officers headed over to this boat that had been catching what looked like small fish. After the boarding was complete the cooler on the back of the boat ended up having eight undersize sea bass and one undersize porgy. The fisherman were issued ECATS for Possession of undersize sea bass and porgy. Towards the end of the boat patrol a party boat was boarded as they were heading in for the day. All the fisherman on board the party boat had legal size Blackfish, except for the mate. Ten undersize Blackfish in the 6-8 inch range were discovered in a bag in the live well. The mate admitted he was going to use them for striped bass bait later that night. The mate was issued an ECAT for Possession of undersize Blackfish.

Education: Tautog 101 (Manhattan, NY) (MEU and R2)

On October 29, 2006 Marine Enforcement Officers Jason and Jamie Powers joined forces with ECO Gill for market checks in Manhattan. Upon entering the 30th Market the officers noticed a tank containing what appeared to be undersized Tautog, however employees were adamantly trying to ensure the officers that the species was actually "Black Seabass" and not Blackfish or otherwise known as Tautog. The 30th Street Market in Manhattan was issued a summons for the possession of 12 undersized Tautog.

The Fall Fishing Games Begin (Town of Southold, Suffolk County) (R1)

During the month of October, ECO Gary Enright encountered a sampling of the variety of tactics some recreational fishermen will resort to in order to keep undersized fish. While working as the designated coverage officer (DCO), ECO Enright conducted numerous compliance checks of recreational fishermen. One night, at approximately 11:30 P.M., at Trumans Beach in Southold, ECO Enright waited for two fishermen, who were returning to their vehicle. When close enough to spot the State patrol car, both fishermen casually placed the buckets they were carrying behind some bushes. When ECO Enright asked how successful they had been, both men explained that the fishing was terrible, and they had not caught a thing. A subsequent check of the buckets, revealed seventeen undersized scup and one undersized blackfish. The fishermen were issued the appropriate Environmental Conservation Appearance Tickets.

In another incident, ECO Gary Enright was patrolling the area beaches and launch ramp areas on a beautiful sunny fall day. This day being a Sunday, resulted in numerous fishermen taking advantage of the weather, and the fall fishing activity. While checking fishermen at Youngs Road, Orient, some local residents advised that a group of fishermen to the east, appeared to be taking undersized fish. ECO Enright conducted a foot patrol and found the four fishermen. Three of the men were huddled in close proximity and the fourth was about twenty-five yards away. Upon approaching the group of three, ECO Enright noticed one man casually cleaning undersized blackfish. As ECO Enright began measuring fish, he ordered the fourth fisherman to

come over to him and bring his bucket. The fisherman complied, but first reached in his bucket and removed one fish, and covered it with his jacket. Thinking that ECO Enright had not noticed his tactics, he walked over with his bucket, which ironically contained seventeen undersized scup. ECO Enright walked over to check what was under the jacket. For some unknown reason, the man had placed one five-inch Blackfish under the jacket. In total, the group had sixty-three undersized scup, and four undersized blackfish. Environmental Conservation Appearance Tickets were issued to all four men.

Long Day on the Water (*Town of Hempstead, County of Nassau*) (MEU & Region 1)

On November 5 ECOs Reilly and Snowdon patrolled on the Western Zone Whaler. They checked over fifty fishermen from Fire Island to Jones Inlets in the bay and ocean. In Jones Inlet they approached a Bertram drifting in the channel. When the operator of the boat saw the ECOs approaching he cut off his line at the reel and said he had to clear a bad knot. ECO Snowdon boarded the vessel and found two porgies and one short sea bass. The man then admitted that another porgy was on the end of his line as bait. ECO Snowdon issued three ECATs for the short sea bass, short and out of season porgies.

Undersize blackfish- (*Town of Huntington, Suffolk County*) (MEU and R1)

On November 7th MEU Officer Brian Farrish and ECO Jeromy Eastwood were on boat patrol out of USCGS Eaton's Neck in Huntington checking fisherman fishing for blackfish. Several boats were checked and everyone was catching nice size fish. The only violation on the day came when the Officers asked a vessel if they had any fish on board and they had said no. After completing the boarding two undersize Blackfish were discovered by Officer Eastwood, and the fisherman were issued an ECAT.

Patience Pays Off (*Suffolk County, East Hampton Township*) (MEU and R1)

Earlier in the year, Captain Timothy Huss, while a Lieutenant in the Marine Bureau and on the brink of becoming the Region 1 Captain, received information about a commercial fisherman out of Montauk, who was habitually taking and selling over the daily commercial limit of blackfish. At various times over the next several months, Lt. Frank Carbone supervised an investigation that included at times, MEU ECO Todd Smith, MEU ECI Gerry Carpenter, and ECOs Joseph Billotto, Paul Hatch, Thomas Gadomski, Stanley Winnick, and Alena Zajic. Several times the fisherman was seen coming into port, but the officers could not obtain an effective vantage point from which they could observe the fisherman off loading the fish.

On the evening of November 20, 2006, ECI Carpenter was informed that the fisherman was out fishing. ECI Carpenter contacted ECO Zajic. As they set up a surveillance. Lt. Carbone and ECO Gadomski responded to stand nearby should any violations be observed. At approximately 1815 hours, the suspect vessel was observed returning to the marina. This time ECI Carpenter and ECO Zajic were able to observe the fisherman take fish from live wells on the boat, and place them in nets off the side of the boat. Lt. Carbone and ECO Gadomski then responded. As Lt Carbone checked the fisherman's mate who was about to leave the marina in his vehicle, ECO Gadomski proceeded to the dock. Despite an attempt by the fisherman to deceive the officer, and

untie the hoop net containing the Blackfish ECO Gadomski was able to haul in the net, recovering sixty-seven blackfish, forty-two over the daily trip limit. In the meantime, Lt. Carbone found the mate to be in possession of an untagged striped bass. The mate admitted that over fifty Blackfish were caught that day, as well as one striped bass.

ECI Carpenter interviewed and took statements from both fishermen, after which ECO Gadomski issued summonses for possession of over the daily commercial limit of blackfish, possession of an untagged container of blackfish, and possession of an untagged striped bass, answerable to East Hampton Town Court.

Blackfish Concerns

Recently, local fishermen and organizations, including the Atlantic States Marine Fisheries Council, and New York's Marine Resource Advisory Council, have been voicing their concerns over the impact of illegal fishing practices on the Blackfish population. This popular sport fish is a slow growing, long-lived species that frequents localized marine habitats, such as artificial reefs, bridge abutments, and similar underwater structures. For these reasons, it is highly vulnerable to over fishing. It is also a popular bait fish for striped bass, and there is an active live fish market for this species. Consequently, it is not unusual for local ECOs to observe violations with regard to keeping undersized fish, or for illegal commercialization of live fish by illicit fishermen, who store large numbers of these fish in fish cars tied to their docks and elsewhere. While ECOs have been documenting violations of the ECL with regard to this species for years, there is now a renewed focus on working to protect the blackfish. At a NMFS meeting held in Old Lyme, Connecticut, on November 16, 2006, New York, Rhode Island, and Connecticut conservation law enforcement chiefs, including Captains Dorothy Thumm and Timothy Huss, agreed to conduct joint patrols this fall and winter to address this issue.