

Marine Enforcement Highlights-July 2022

CPO Moscatiello was patrolling Monmouth County when he encountered a fisherman that had landed a large blacktip shark. Upon questioning, it was revealed that the shark was caught in federal waters and the vessel did not have the required highly migratory species (HMS) permit with shark endorsement, which allows fishermen to target and retain sharks in federal waters. The case was referred to the National Marine Fisheries Service for enforcement action.

CPO Moscatiello located fishermen filleting a yellowfin tuna at a marina fillet station. The vessel's captain claimed that he had the required highly migratory species (HMS) permit, which allows him to target and retain Atlantic tunas. CPO Moscatiello attempted to verify that the vessel had a valid HMS permit, but it was discovered that the vessel was last permitted in 2020. When confronted with this information, the captain admitted that he had not renewed his permit for the 2022 season. The case was referred to the National Marine Fisheries Service for enforcement action.

While performing a vessel patrol on June 24th, CPO Capri conducted an inspection of a recreational fishing vessel off Barnegat Light, Ocean County. CPO Capri located three large bags of black sea bass fillets. The season for retaining black sea bass was closed and black sea bass may not be filleted or mutilated at sea. Due to the large quantity of fillets and vessel safety concerns in the Barnegat Inlet, CPO Capri escorted the vessel to its dock to complete the inspection. The one angler onboard the vessel was found to be in possession of 122 fillets from at least 61 black sea bass. The individual was issued multiple summonses for possession of seabass during the closed season and possession of mutilated black sea bass.

On June 30th CPOs Szalc and Capri conducted a vessel patrol in Barnegat Light, focusing enforcement efforts on vessel returning from tuna and other highly migratory species (HMS) fishing trips. The CPOs conducted multiple inspections of a recreational HMS vessels. The anglers onboard one vessel claimed to have caught and retained a swordfish. The officers located the swordfish, which had been cleaned, steaked, and packed into several bags. Swordfish are required to be landed whole or may have the head and tail removed if the remaining body section is larger than the minimum requirement. In addition, the officers found the vessel lacked the required HMS permit to retain a swordfish. Without a valid HMS permit the vessel would be unable to complete the required billfish reporting. The violations were documented and referred to NMFS for enforcement action.

On July 9th CPO Meyer was conducting a routine patrol in the Brigantine area where he observed a refrigerated box truck waiting at a local boat ramp. Based on his prior experience, CPO Meyer suspected the truck was waiting for commercial oyster harvesters to return. During the months of June, July, and August, oyster harvesters are required to follow strict guidelines for harvesting oysters under the vibrio parahaemolyticus (VP) control plan. Included in the plan is a limited harvest time to reduce the amount of time the oysters are exposed to the warm summer temperatures. CPO Meyer observed the harvest vessel returning to the dock approximately an hour after the harvested oysters were required to have been placed in refrigeration. Additionally, oysters are required to be shaded or cooled upon harvest, again to reduce the exposure to the summer sun. The vessel failed to utilize any shading or cooling on the oysters. CPO Meyer identified these violations as an immediate threat to public health. It was determined that the oysters had to be returned to the water for a period of 48 hours before they could be harvested. CPO Meyer issued summons for harvesting oysters outside the allowed timeframe.

CPO Tomlin inspected a group of individuals harvesting shellfish without shellfish licenses and in waters classified as prohibited. CPO Tomlin informed them on how to obtain licenses and where legal harvest locations were. The individuals were issued the appropriate summonses. Approximately 2 hours later, CPO Tomlin apprehended the same group of individuals in a different Township. The individuals again were harvesting shellfish without shellfish licenses and in a different prohibited area. Additional summonses were issued.

CPO Tomlin inspected a recreational fishing vessel upon its return from a canyon fishing trip and found the vessel was in possession of unlawfully filleted yellowfin tuna and tilefish. The yellowfin tuna fillets were extremely small and appeared to have come from undersized fish. The operator claimed to have filleted the tuna while fueling up at another marina in Cape May Harbor. CPO Tomlin called the operators bluff because he observed the vessel the whole time as it transited through the harbor from the Atlantic Ocean and confirmed it did not make any stops. The vessel also did not have the appropriate federal permits to possess tilefish and yellowfin tuna. The case was referred to NMFS for enforcement action.

Marine Enforcement Highlights-August 2022

CPOs Moscatiello and Henderson were on boat patrol during the early morning hours in August. Utilizing their patrol vessel's radar capabilities, the CPOs identified a large vessel several miles away and making way within two miles of the coastline. As the officers approached, they observed an otter trawl vessel with its gear deployed actively fishing. Properly licensed commercial fishing vessels are allowed to use an otter trawl in state waters no closer than two miles off the coastline. The CPO Moscatiello contacted the vessel and later that morning issued the operator a summons for the violation.

CPO Moscatiello conducted an inspection of a recreational vessel after returning to a marina along the Manasquan River. The captain of the vessel stated that only four legal summer flounder were on the boat. During the inspection CPO Moscatiello observed the captain continually attempted to block the view inside the cabin of the vessel. A thorough inspection of the vessel revealed two cooler-style bags containing 47 undersized summer flounder. Summonses for 47 undersized summer flounder and 42 over limit summer flounder were issued.

In late August, CPOs Bahrle and Woerner were boarding party boats as they returned to port in the Point Pleasant Beach area. The CPOs were inspecting vessels and their patrons for compliance with the current regulations, and to be sure that the party boats are working within the guidelines set forth by their permits. One such permit allows party boats to fillet legal-sized fish at sea, but the filleted fish carcasses must be retained until the vessel is secured at the dock. This provision allows officers the opportunity to inspect the fish racks before they are discarded. On one inspection, CPO Bahrle promptly stepped onboard as patrons were leaving with filleted fish but found an empty carcass basket near the filet table. The mates on board told the CPOs that they tossed the carcasses off the bow of the boat before the stern lines had been set. After a short interview with the owner of the boat it was determined that the fish racks had been dumped off the boat prematurely. Summonses were issued for the violation, and if found guilty the vessel faces suspension of their "fillet permit" for 60 days.

On Sunday, July 24th CPO Meyer and Lt. Harp received multiple complaints regarding a large group of individuals clamming near Malibu Beach WMA. Harvesting shellfish is prohibited on Sundays and multiple complaints were received on this matter. As the officers arrived, they observed more than 20 people activity harvesting hard clams. Upon inspection, the officers determined that most of them did not possess shellfish licenses. A total of 15 summons and multiple written warnings were issued for harvesting shellfish without a license and harvesting shellfish on a Sunday.

During a designated patrol to ensure compliance with safe and sanitary handling practices amongst the shellfish industry, CPO Raker found an oyster farmer with various violations. The violations included failing to meet temperature control requirements and to provide proper post-harvest shading of oysters required to prevent build-up of naturally occurring bacteria called *Vibrio parahaemolyticus* and *Vibrio vulnificus*. Additionally, the farmer neglected to appropriately tag the harvested oysters, which is a requirement to ensure the traceability of marketed oysters in the event of a shellfish-related illness investigation. The harvested oysters were prevented from being marketed and the farmer was issued summonses for the violations.