



# COMMONWEALTH of VIRGINIA

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## **Virginia Marine Police Crack Down on Oyster Poaching**

*~ 500 citations issued to stem an “epidemic” of violations, some of which are egregious and repeated ~*

NEWPORT NEWS, Va. – An ongoing Virginia Marine Police operation to protect a resurgent oyster population has resulted in 500 citations issued to commercial watermen over the past two years for violating oyster catch restrictions.

The offenses ranged from harvesting too many oysters, poaching them from sanctuaries, stealing them from privately leased ground, and illegally harvesting them at night.

“Oyster poaching now borders on an epidemic,” said Marine Resources Commissioner Jack Travelstead. “We have worked long and hard to rebuild the oyster stocks and we will not see them pillaged by unscrupulous thieves and watermen who are willing to cut corners.”

In fact, more than 100 charges were filed and served over the weekend against ten Gloucester watermen who are accused of harvesting well over their daily bushel limits. Repeatedly. Several for 13 days over the span of several weeks.

The watermen were charged on Nov. 19 with catching more than their daily eight bushel possession limit after Marine Police First Sergeant Herbert Bell surprised them at the dock when they pulled up in their boats after oystering in the Rappahannock River.

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An investigation of the buyer records – including copies of the checks written to the watermen as payment for their catches – showed nine of these watermen routinely overharvested, some for more than two weeks and even after they were caught at the dock that day with too many oysters.

Sergeant Bell obtained a search warrant to examine the Marine Resources Commission's mandatory harvest reports and discovered the ten watermen had filed catch reports that stated they only caught their daily possession limit. As a result, they were charged with filing false harvest reports with the agency.

Several of these watermen had prior convictions for fisheries violations. Three were convicted of separate oyster violations in the James River a few months later, in January.

A search warrant was necessary because state law prohibits the release of individual catch data without a court order. The warrant was issued by a Newport News magistrate. A total of 115 misdemeanor charges against the ten men were filed in Middlesex County District Court on Friday and served on the defendants over the weekend. Several were charged with more than 20 counts each.

They face thousands of dollars in fines, potential jail time, and suspension by the Marine Resources Commission of their commercial fishing licenses for up to two years, the most allowed under state law.

“We will not stand for this type of behavior,” said Commissioner Travelstead. “This plundering of the public's oyster stocks must stop, and I guarantee you the Marine Police will not let up until this problem is solved. The majority of watermen are honest people just trying to make a living and respect the laws necessary to maintain sustainable fisheries. Most are as concerned as we are that oyster poaching has become so rampant.”

Since 2011, the Marine Police have issued 500 citations for oyster violations. This is almost four times the usual number, with a conviction rate of 76 percent so far. Roughly 230 citations have yet to be adjudicated in court, including the most recent charges.

Oyster stocks have been on the rebound in recent years, after being decimated by diseases MSX and Dermo that kill adult oysters but do not harm humans. Much of the stock's improvement is due to a rotational harvest program enacted by the Marine Resources Commission four years ago in which harvest areas are opened on a staggered basis for one harvest season then closed for one or two years in order to give oysters a chance in those areas to grow to market size.

Proof of that success: Over the past decade, the oyster harvest in Virginia has increased ten-fold, from 23,000 bushels in 2001 to 250,000 bushels in 2012. In that time, the dockside value of the oyster harvest increased from \$575,000 to more than \$8.25 million.

“There are more oysters in the water and that may tempt some people,” said Marine Police Chief Rick Lauderman. “If so, they should keep in mind we issued 500 oyster citations over the past two years and filed more than 100 charges just over the last few days. More are coming. We will not stop. Failing to abide by these important oyster laws will have unpleasant repercussions.”