



# Atlantic States Marine Fisheries Commission

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## MEMORANDUM

March 25, 2014

**To: Horseshoe Crab Management Board**

**From: Law Enforcement Committee**

**RE: Horseshoe Crab Enforcement Efforts**

At the winter 2014 meeting of the Atlantic States Marine Fisheries Commission (ASMFC), the Horseshoe Crab Management Board asked the Law Enforcement Committee (LEC) to summarize recent enforcement activities and issues relative to illegal harvest of horseshoe crabs (HSC). The ASMFC Law Enforcement Committee (LEC) met via conference call on February 26, 2014 to address this issue.

**Committee Members Present:** Kurt Blanchard (RI); Elizabeth Buendia (USCG); John Cornish (ME-alternate); Dominick Fresco (NJ); Larry Furlong (PA); Honora Gordon (USFWS); Jamie Green (VA); Logan Gregory (NOAA OLE); Bob Hogan (NOAA OGC); Tim Huss (NY); Drew Idelit (DE-alternate); Lloyd Ingerson (MD); Kyle Overturf (CT); Gentry Thames (SC-alternate); Carter Witten (NC-alternate).

**ASMFC Staff:** Mark Robson; Kate Taylor; Mike Waine; Marin Hawk

**Other Law Enforcement:** Tracy Dunn (NOAA OLE); Jeff Radonski (NOAA OLE); Robert Kersey (MD NRP)

The Law Enforcement Committee offers the following information and comments regarding ongoing enforcement of HSC regulations.

### **Illegal Activity and Cases**

Only New York and Virginia reported what they considered notable illegal harvest (poaching) issues. New York is aware of significant harvest pressure in the spring because other areas and states are closed to harvest, and there is a related increased dollar value per crab. The Division of Law Enforcement anticipates possible illegal activity by implementing spring enforcement details. Only a few cases have been made, primarily on the new and full moons during April, May and June. There is a significant enforcement effort at peak times in support of the legal fishery in New York. Illegal activity in Virginia is mostly confined to secluded, shallow-water areas of the eastern shore of Virginia. Because of the location, it is difficult to monitor activity closely and catch violators. However, officers are well aware of the activity and make every effort to counteract it. A recent regulatory change to fishing hours has cut down on the use of darkness as cover for illegal activity.

New Jersey prohibits any harvest but allows fishermen to use crabs for bait, provided they have a receipt for out-of-state purchase. Enforcement has had only minor cases of poaching at the state

line, but these violators possessed only a few crabs. The high penalty in New Jersey of \$10,000 for any quantity of illegal crabs serves as a significant deterrent.

New Hampshire officials are continually looking for violations to their HSC laws but violations are rare and overall harvest in the state is low. There was only one case of over-limit harvest last year (greater than 10/day).

Massachusetts has had some minor violations including dealers in possession of undersized HSC. Enforcement patrols are stepped up around the May and June lunar closures.

Rhode Island and Connecticut reported no known poaching.

Maryland has had only one complaint in the last 6-7 years.

South Carolina only permits harvest for bleeding. Officers inspect those permitted for collection. Permittees are inspected while collecting and transporting their catch to and from the designated blood collection site in Charleston. Inspections ensure that the catch is being handled properly and safely returned to suitable waters. Commercial vessels that may incidentally harvest HSC are inspected as encountered to make sure that incidental catches are released unharmed.

Several LEC members reported that they are hearing of potential harvest of HSC by offshore trawls, and that these may be getting sold directly to fishermen for bait. However there is no direct indication of the extent or amount of this activity or whether it exceeds legal bycatch allowances. In North Carolina harvest of HSC is primarily a bycatch fishery with only 50 crabs per vessel allowed, and no significant poaching issues reported.

### **Summary**

LEC members from those states where there is a significant fishery for horseshoe crab have reported some intermediate levels of illegal activity, and these are being countered or addressed to the extent that resources allow. Other states reported no or low levels of activity, with few cases and less severe violations. Several members reported indirect information of offshore harvest and sale via trawling, but there is no direct evidence of significant illegal activity and no cases. States have in place or have recently adopted regulations in aid of enforcement, including, for example, limited permits, harvest hours and seasons, harvest limits or possession prohibitions. New Jersey, where there is a moratorium on take of HSC, has a \$10,000 penalty for a violation. This is believed to have served as a significant deterrent.