

Illegal Gill netting on Boulder Lake, suspects caught!

Many of you are aware that we have had at least two instances last year where gill nets were found on Boulder Lake. One was reported on May 15th, and another on May 21st. The nets were located and removed both times by the DNR. They contained a number of dead fish including Walleye, Pike and Bass. We are happy to announce that the individuals responsible have been caught and dealt with!

On May 15th the DNR received a voice mail from a local fisherman, Tim Williams, about 2 nets that he had discovered on the west end of Boulder Lake.

On May 17th the DNR contacted Williams and he told them he had found the two nets while trolling, and that they had both live and dead fish in them. He didn't know who had set them, and did not see any activity in the area. A second complaint was also received on the 17th from lake association member Joe Reko who had just arrived from his home in Colorado. He saw a fisherman go up to the nets and talked to him about them, and the dead fish in them. Disgusted with the illegally caught dead fish Joe called in the complaint.

At about 4:00pm on the 17th, the DNR arrived at Boulder to investigate and found the two nets both with live and dead fish in them. Pictures were taken and both nets were hauled in and taken to the public access where they were stretched out and documented. Nets were 100 feet long, had weights on the bottom, and neon yellow horizontal floats on top. The nets appeared to be new, and contained 27 rough fish (Suckers and Bullheads) 9 Walleye, 1 Northern Pike, and 2 Largemouth Bass. The gill nets were seized and placed in an evidence freezer.



May 24th, the DNR received another call from Lake Association member Daniel Marks. He reported that a couple of sections of gill net were wrapped around his dock with dead fish in them. The DNR came out and investigated the next day and found two sections of gill net wrapped around docks, about 50 feet apart, in about the same area as before. The nets contained several dead and rotting fish, and appeared to be the same brand of net used before. The nets were removed and taken back to the DNR Fisheries office in Walker for processing. The nets contained 38 rough fish, 1 Walleye, 4 Northern Pike, and 2 Largemouth Bass. Fish were decomposing and appeared to have been in the nets for over a week.



The very next day after the nets were removed from Boulder lake, around 10pm on May 26th, Sgt Jeff Stacey from the Hubbard County Sheriff's Office received information that three people, possibly Asian arrived at Shallow Lake with an inflatable boat, and were seen going out on the water with no fishing poles and wearing garbage bags for rain jackets. It should be noted that at this time it was completely dark, and the weather was heavy rain fall and 40 degrees.

Sgt Stacey arrived in the area and found one vehicle, parked at the Shallow Lake access. He sat in the area and waited for the boat to come back. At approximately 10:30pm, he observed the boat coming back to shore. All he could see were little flash lights coming across Shallow Lake. He waited until he observed the truck startup and back down toward the landing, and then approached the vehicle and made contact with the driver, Feng Lin.

Sgt Stacey asked Feng what they were doing as he could see no fishing poles and they were letting the air out of the inflatable boat. Feng stated "no English", Feng appeared to be Asian and spoke Chinese. Sgt Stacey asked Feng if he set a gill net on the lake, Feng nodded indicating they had. There were three people in the boat. The driver of the boat, Hong Bing Lin and two passengers, Jia Jun Lin, and Feng Lin. None of the three could speak English so they made contact with Feng Lin's sister, Nikki Chen, who was able to translate over the phone for Sgt Stacey. It appeared that Hong Bing was in charge of the operation. Sgt Stacey then told Feng to go get his net and bring it back. Feng after some time, re-inflated their boat put the trolling motor and gear back in it, and headed back out on the lake. There were no lights on the boat, they used flashlights, and head lamps to see where they were going.

At approx. 12:30am the boat came back containing commercial gill nets. They again made contact with Nikki and translated to Feng. Feng stated the nets were theirs and they had just setup the nets tonight before Sgt Stacey arrived. Feng stated they have not set any other nets and this was the only lake they set the net on!

Sgt Stacey took possession of the net and made an effort to identify Hong Bing but could not understand them. He then followed them to their residence where Hong Bing provided a New York ID. Sgt Stacey explained to Nikki that the MN DNR would be getting in contact with them for setting the gill nets. Nikki stated that she understood and said they were from China where it is legal to use gill nets to fish. Nikki said Hong Bing did not realize it was illegal for him to set the gill nets. Nikki said they have lived in the Park Rapids area for approximately three years and operate the Chinese restaurant, Four Seas, in town.

While speaking to Nikki, Sgt Stacey noticed a white chest freezer in their garage. It is known that people using gill nets often catch an abundance of fish and are usually in possession of large amounts of fish over the MN possession limits.

Sgt Stacey made contact with DNR Conservation Officer Mark Mathy in regards to the gill nets. CO Mathy stated he had recovered three gill nets off Boulder Lake around May 17th 2019. CO Mathy stated the gill nets matched the gill nets Sgt Stacey recovered from this incident. It should also be noted that Boulder Lake and Shallow Lake are both off County 18 and within a couple of miles of each other. It should also be noted that these gill nets were not brand new and had been used before.

This case was forwarded to MN DNR CO Mark Mathy for follow up and investigation.

On May 27th CO Mathy CO Swedburg and CO Peterson executed a search warrant at the residence while the local Sheriff office assisted with perimeter security. Hong was in the yard when they arrived and Nikki Chen acted as a translator.

CO's Mathy and Peterson interviewed Hong with the assistance of a language line interpreter. while CO Swedburg searched for items listed in the warrant

Hong stated he was not aware that using gill nets is a violation, and did not mean any harm, he had no fish on the premises from the lakes or netting activity. Initially Hong claimed he had no idea about the nets from the prior week on Boulder Lake and insisted anyone can buy nets online. But after pointing out that all the nets were similar and had the same type of floats which also had Chinese writing on them, he decided to tell the truth. He admitted to setting four nets a few days earlier but was not sure of the exact date or what lake they were on, only that when he came back to retrieve them, they were gone. No fish were found in the freezer in the garage or in the restaurant dumpsters when searched, two older nets with similar floats were taken as evidence along with a vinegar bottle that may have been used as a marker. The rubber raft, trolling motor and battery were not taken.

CO Mathy advised Hong that he would be forwarding his findings to the Hubbard County Attorney's Office where formal charges would be brought at a later time. Records show that Hong, Jia Jun, and Fend didn't ever possess a fishing licence.

Court case was on 12/12/2019 all three were found guilty of illegally taking fish with nets, traps, trot lines, or snares. All three lost their fishing privileges for 3 years and were sentenced to 91 days in Hubbard County Jail (stayed for 2 years) with 2 years' Probation. Hong Bing was fined \$1250 while Feng and Jia Jun were fined \$955 each.