New York Man Fined for Violating Migratory Bird Treaty Act

A New York man pleaded guilty this month to violating the Migratory Bird Treaty Act in connection with a hunting and fishing guide service on the Niagara River.

Joseph Cinelli, of Grand Island, N.Y., was fined $5,000 on Jan. 1 and his U.S. Coast Guard Merchant Mariner's license was revoked for three years as a result of the Jan. 2010 incident. Cinelli pleaded guilty to the same offense in 2007.

Cinelli operated a hunting and fishing guide service to paying clients on the lower Niagara River. In Jan. 2010, a U.S. Fish and Wildlife Service special agent observed Cinelli as he guided three clients on a waterfowl hunting trip. During that trip, Cinelli allowed and encouraged his clients to hunt flying long-tailed ducks from the boat while it was operated under the power of its engine in violation of the Migratory Bird Treaty Act. The three clients were charged with similar violations and have since pleaded guilty to the offenses.

The Migratory Bird Treaty Act makes it a crime to hunt migratory birds from a vehicle under power. Misdemeanor violations carry a maximum $15,000 fine and six months in prison.

The investigation was conducted by U.S. Fish and Wildlife Service’s Amherst, N.Y. office. The case was prosecuted by MaryEllen Kresse, Assistant United States Attorney for the Western District of New York.

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