

WEEKLY UPDATE: 02/03/12
NORTH CAROLINA FISHERIES ASSOCIATION
"Serving the Commercial Fishing Families of North Carolina since 1952"
Phone: (252) 745-0225 www.ncfish.org

MEETING OF LEGISLATIVE STUDY GROUP took place in Raleigh.

The meeting took place in a crowded conference room in the Legislative office Building as the newly formed Committee heard from recreational CCA types and a few commercial interests. From the get-go it seems things were slightly stacked against the industry when committee Chairman Darrell McCormick said each speaker would have five minutes to speak; the recreational folks had 7 speakers, the commercial side had three owing to the fact that initially each side was to get thirty five minutes. The new five minute plan was announced at the start of the hearing. Speaking for the industry was Willie Etheridge from Etheridge Seafood in Wanchese, Sean McKeon, NCFA president, and Bill Hitchcock a recreational angler and host of Saltwater Catch radio show. Hitchcock made his way to the microphone in a wheel chair assisted by his mother; he has a very debilitating form of arthritis and is in extreme discomfort. His testimony was riveting, telling the committee that he can no longer fish himself, but relies on the commercial industry to catch these fish for him and others like him. The committee seems to be paying attention to what the industry is saying and many believe yesterday's hearing went very well for the industry. There is still a long way to go, however, as other issues were also presented at the hearing. A ban on menhaden fishing in NC, for example, is being contemplated, with the reduction fisheries the target. But that ban would severely cripple our crab industry which uses menhaden for bait. **What is really happening here is an end run around the process** established in the Fisheries Reform Act. The CCA agenda is being handed to this Study Committee and they will vote to recommend "fisheries reform" to the General Assembly. The problem with this is that no one on the Committee has the knowledge or understanding of the industry to realize the many, many unintended consequences of making fish policy in Raleigh; our federal requirements at the councils, our relationship with the ASMFC, our interstate agreements, and our relationships with other states vital to the industry's survival. This is politics pure and simple, no thought for what happens to real families and real people and their businesses, none. Proof positive of that is the so-called "compromise" being bantered about by gamefish advocates; the commercial side agrees to give up one species of fish in turn for not being put into Wildlife Resource where they say "You'll die there!" Some compromise...gun to the head politics if you ask me. **VERY IMPORTANT contact the members of the Study Group and say no to gamefish status. Please email them or have your wives and friends do so, they need to hear from our people NOW! Be polite, but be firm NO COMPROMISE NO GAMEFISH. Also, thank them for listening to the industry at yesterday's hearing.**

Senator Harry Brown Harry.Brown@ncleg.net

Senator Don East Don.East@ncleg.net

Senator Thom Goolsby Thom.Goolsby@ncleg.net

Senator Bill Rabon bill.rabon@ncleg.net

Senator Tommy Tucker Tommy.Tucker@ncleg.net

Senator Jean Preston Jean.Preston@ncleg.net

Senator Stan White Stan.white@ncleg.net

Representative Darrell McCormick Darrell.McCormick@ncleg.net

Rep. Dan Ingle Dan.Ingle@ncleg.net

Rep. Ruth Samuelson Ruth.Samuelson@ncleg.net

Rep. Danny McComas Danny.McComas@ncleg.net

Rep. Bryan Holloway Bryan.Holloway@ncleg.net

Rep. Pat McElraft Pat.McElraft@ncleg.net

Rep. Tim Spear Tim.Spear@ncleg.net

Feds declare Atlantic sturgeon endangered species. Atlantic sturgeon listed as endangered, will have profound effects on industry.

NCDMF Director Louis Daniel said in the hearing yesterday that the sturgeon listing will "make the turtle problems look easy" he went on to say that new observer requirements will be certainly part of this action and funding for new observers is going to be a problem. He mentioned an increase in fees for licenses and charging fees for permits currently free might help offset costs. Jack Travelstead, the Virginia Marine Resources Commission fisheries chief, said last year that an endangered listing could lead to restrictions on the state's gill- and pound-net fisheries, both of which are responsible for millions of dollars of fish landed annually in Virginia.

NOAA said it will try not to affect other fisheries. (Yeah, right!) The Natural Resources Defense Council, was behind the petition for the declaration of endangered for these fish. One major problem for the industry is that there have been a lot more sturgeon seen in recent years, since the fishing ban, and that will prove a double edged sword when trying to avoid "takings" under the ESA. A taking is barred under the Endangered Species Act and includes the "harassing, harming, pursuing, wounding, killing, trapping, capturing or collecting" of a protected creature.

PROCLAMATIONS: Details of proclamations are on NCDMF's website www.ncdenr.org

RE: BLACK SEA BASS – COMMERCIAL FISHING OPERATIONS

Effective at **12:01 A.M., Wednesday, February 1, 2012**, the following restrictions shall apply to the commercial black sea bass fishery **north of Cape Hatteras (35° 15.3'N. Latitude): I. SIZE LIMIT** It is unlawful to possess black sea bass less than 11 inches total length north of Cape Hatteras. Total length shall be measured along the lateral midline from the tip of the nose to the tip of the tail, **excluding the caudal fin filament. II. HARVEST LIMITS**

During the period beginning at **12:01 A.M., Wednesday, February 1, 2012** and ending at **6:00 P.M. Wednesday, February 15, 2012**, no commercial **trawl, fish pot or hook and line fishing operation**, regardless of the number of people involved, may have total landings of more than 2,000 pounds of black sea bass taken from the Atlantic Ocean north of Cape Hatteras. **The black sea bass fishery will close immediately after the Director issues a public notice that the quota of black sea bass has been landed from the Atlantic Ocean north of Cape Hatteras, or at 6:00 P.M., February 15, 2012, whichever occurs first.** <http://portal.ncdenr.org/web/mf/proclamation-ff-6-2012>

RE: FLOUNDER – COMMERCIAL FISHING OPERATIONS – ATLANTIC OCEAN

Effective at **12:01 A.M., Wednesday, February 1, 2012**, the following restrictions shall apply to the commercial flounder fishery: **I. HARVEST LIMITS** During the period beginning at **12:01 A.M., Wednesday, February 1, 2012 and ending at 6:00 P.M., Wednesday, February 15, 2012**, no commercial fishing operation, regardless of the number of people involved, may have total landings of more than **10,000 pounds** of flounder taken from the Atlantic Ocean. These operations require a valid *License to Land Flounder from the Atlantic Ocean*. The Atlantic Ocean flounder fishery will close immediately after the Director issues a public notice that the fall quota of flounder has been landed from the Atlantic Ocean, or at 6:00 P.M., February 15, 2012, whichever occurs first. <http://portal.ncdenr.org/web/mf/proclamation-ff-5-2012>

RE: STRIPED BASS SEASON – COMMERCIAL FISHING OPERATIONS – ALBEMARLE SOUND MANAGEMENT AREA

Effective at **12:01 A.M., Wednesday, February 1, 2012**, the harvest of striped bass with **COMMERCIAL FISHING OPERATIONS IN THE ALBEMARLE SOUND MANAGEMENT AREA WILL OPEN** and the following provisions shall apply: **I. AREA DESCRIPTION** Albemarle Sound Management Area as described in Marine Fisheries Rule 15A NCAC 3R .0201 (a). **II. SIZE AND HARVEST RESTRICTIONS** A. It is unlawful to take, possess, transport, buy, sell, or offer for sale striped bass less than 18 inches total length taken by commercial fishing operations from the Albemarle Sound Management Area. B. It is unlawful for an individual or commercial fishing operation regardless

of the number of persons or vessels involved, to possess, land, sell or offer for sale more than fifteen (15) striped bass, unless taken in conjunction with other commercially important finfish. Striped bass shall be limited to 50% by weight, of the combined daily harvest, not to exceed 15 fish per day, **per Standard Commercial Fishing License (SCFL) holder**. The daily harvest limit of 15 striped bass shall not be exceeded, regardless of where taken from internal waters, **unless the fish are taken in accordance with II. C. below**. C. It is unlawful for any operation consisting of more than one SCFL holder to be in possession of more than two daily harvest limits. The SCFL holders must accompany and transport each single harvest limit and the other commercially important finfish together until the striped bass are sold to a dealer possessing a valid 2011/2012 STRIPED BASS DEALER PERMIT validated for the Albemarle Sound Management Area. D. For gill net requirements in the Albemarle Sound Management Area, see the most recent M-type proclamations specific to the area. <http://portal.ncdenr.org/web/mf/proclamation-ff-7-2012>

RE: CRAB, EEL, FISH AND SHRIMP POTS

The Division of Marine Fisheries, hereby announces that the closed pot season will reopen effective at 12:00 Noon on Thursday, February 2, 2012 in the following areas:

I. AREA DESCRIPTION All Coastal and Joint Fishing Waters north and east of a line in Pamlico Sound running southeasterly between Bluff Point at 35° 19.5540'N – 76°09.3240'W and a point on the north shore of the entrance to Silver Lake at Ocracoke at 35°06.8833'N – 75° 59.3333'W.

<http://portal.ncdenr.org/web/mf/proclamation-pt-2-2012>

Meetings:

February 6 - 9:

[ASMFC Winter Meeting](#), Crowne Plaza Old Town Alexandria, 901 N. Fairfax Street, Alexandria, Virginia; 703.683.6000.

February 14 - 16:

[Mid-Atlantic Fishery Management Council](#), Hilton Virginia Beach Oceanfront, 3001 Atlantic Ave., Virginia Beach, Virginia; 757.213.3001.

For more information on any item in this update, contact the NCFE office (252) 745-0225. Also, visit NCFE Website for breaking news and other issues concerning our industry.

www.ncfish.org