

Court blocks fall flounder supplement

By Rip Woodin
CCA NC Editor

A lawsuit by two commercial fishing organizations and three counties won a permanent injunction Oct. 6 blocking the N.C. Division of Marine Fisheries from shutting down the southern flounder season from Oct. 16 until Dec. 31.

Carteret, Dare and Hyde counties joined the N.C. Fisheries Association and Carteret County Fisherman's Association in the suit filed Sept. 23. The request for an injunction asked the court to overturn the southern flounder supplemental plan adopted by the N.C. Marine Fisheries Commission in November 2015.

Superior Court Judge John Jolly issued the ruling after hearing several hours of argument from the plaintiffs' attorney, Steven Weeks of Beaufort and Phillip Reynolds representing DMF. Jolly, who took over the case after Judge John Nobles of Beaufort recused himself, ruled that the supplement was "arbitrary and capricious".



Photo by Tom Roller

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Commercial and recreational fishermen will be able to harvest flounder through the rest of 2016.

Davis works to restore lost trust in marine fisheries

By Rip Woodin
CCA NC Editor

Dr. Braxton Davis, the relatively new director of the N.C. Division of Marine Fisheries, acknowledged there has been a "big loss of trust" between stakeholder groups and the division, particularly over stock assessment science.

Davis made the statement in a wide-ranging discussion with the CCA NC Executive Board at its August meeting.

"I'll do anything I can to improve trust and communication," which means including more fishermen in the science and data collection process. Stock assessments are the basis of the division's fisheries management plans that set catch limits.

Davis, who also heads the N.C. Division of Coastal Management, was given Marine Fisheries in April when former director Dr. Louis Daniel suddenly resigned. Both divisions are headquar-

tered in Morehead City so it's not difficult to run both divisions, Davis said.

"This is a good opportunity to hear what CCA NC is working on as I continue my crash course on fisheries management," he said.

Davis is spending 80 to 90 percent of his time at DMF, explaining that his visit to CCA NC is part of an outreach effort that has already led to meetings with individual Marine Fisheries commissioners, various commercial fishing

groups, seafood dealers, researchers and other state fishery directors.

"The common theme from these meetings is a lot of folks want to ease the tension (between recreational and commercial groups)," Davis said. "I'm very happy to hear they want to find common ground, calm down the rhetoric."

Davis recalled that he worked 10 years in South Carolina's coastal man-

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FLOUNDER

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The injunction means both commercial and recreational fishermen can continue to harvest flounder with all approved gear – gill nets, pound nets, gigs and fishing rods – just as in the past. Jolly did not rule on the charge that MFC members had violated the open meetings law by discussing the supplement in emails.

In making the ruling, Jolly mused that he hoped allowing the commercials to fish another 45 days wouldn't jeopardize the future of the fishery. He also asked Weeks why he waited nearly 11 months to file his lawsuit. His ruling did keep in place the 15-inch minimum size fish rather than reverting to the previous commercial minimum of 14 inches.

The bulk of Weeks' argument centered on testimony from Jess Hawkins, a retired career DMF employee who testified how a Fisheries Management Plan is created. He also read from negative peer reviews of a 2014 flounder stock assessment that said it was flawed because it didn't consider fish migrating down the coast to other states.

Speaking for the DMF, Reynolds stressed the DMF's authority to adopt a supplement to an FMP in emergencies. Even though the stock assessment was not approved by peer review, he said DMF had other data that showed deep concern for southern flounder stocks.

The suit argued that the southern flounder fishery is recovering based upon conservation measures enacted prior to 2015. Additional regulations are unnecessary, not based on scientific data and would devastate the commercial fishing industry, the suit claimed. Furthermore, it charged that the November 2015 action violated the state's open meetings law since various commissioners swapped emails on the supplement.

During the legislative short session this past summer, Sen. Bill Cook (R-District 1) tried to block the supplemental plan by slipping a provision into the state budget bill that would have restructured the MFC and effectively emasculated its power to change Fisheries Management Plans, explained David Sneed, executive director of CCA NC.

House and Senate leaders removed Cook's amendment at the last minute only after intense lobbying by CCA NC was able to convince the leadership of the disingenuous nature of the Cook provisions, Sneed said.

"The Cook provisions attempted to restructure the commission to make it completely ineffective and eliminate its reactions to changing conditions during the five-year cycle of any Fisheries Management Plan," he said.

The request by CCA NC to remove the Cook provisions was agreed upon by both House Speaker Tim Moore and Senate President Pro Tem Phil Berger during the final budget negotiations, Sneed continued.

"If CCA NC and its lobbyists had not been monitoring the short session budget proceedings so closely, and in a position to work to have the Cook provisions stripped from the final budget, the devastating changes to the



Photo by Tom Roller

Young Joe Jordan shows off a pair of flounder that he caught near the Turning Basin in Morehead City.

structure and power of the commission would have gone through unchallenged," he added.

The heart of the issue was a 2014 stock assessment that concluded southern flounder numbers are continuing the decline that began 20 years ago. A bit of history first. Various DMF staff reports labeled southern flounder as "overfished" from 2002-2005, and "depleted" from 2006-2013. In 2005, as mandated by state law, a Fisheries Management Plan was adopted by the Marine Fisheries Commission to end overfishing of southern flounder and achieve a sustainable harvest. Now 11 years later, there is no data indicating the purposes of the FMP – to rebuild stocks and get back to a sustainable harvest – have been met, Sneed said.

The 2014 stock assessment could not technically prove that overfishing continues because it did not take into account that some flounder migrate down the coast and back, therefore it did not pass scientific review. It did verify, however, that southern flounder numbers are still low. And to make matters worse, much of the commercial harvest is among "recruitment" stocks, smaller juvenile fish that haven't yet spawned. The state's southern flounder fishery now consists primarily of younger fish because the larger flounder have been

mostly wiped out by fishing pressure. This was the basis for the MFC's decision to adopt a supplement to the present Fisheries Management Plan.

"While CCA NC was encouraged by the rules, we felt additional regulations should have been imposed upon the gill net fishery," said Dr. Chris Elkins, president of CCA NC and a retired UNC microbiologist.

CCA was not alone in those conclusions, Elkins continued.

"Over 5,000 people signed a petition to restore southern flounder and to remove flounder gill nets permanently," he said. "It is published fact and common knowledge that cleaner fishing methods, such as pound nets and gigging, can harvest all the southern flounder the stock can sustain."

CCA NC Chairman Bud Abbott said the time has come for conservation to take primacy over maximum extraction for the short-term economic interests of less than 800 commercial fishermen.

"This is about whether N.C. wants to put the resource first or not, above any user group or citizen interest. While I am personally disappointed with the outcome, many from all user groups feel that this is a major loss for the resource and our future generations," he said.

Feds might shift unused dolphin catch to longliners

The South Atlantic Fishery Management Council (SAFMC) is considering a re-allocation proposal that would shift unused dolphin catch limits in federal waters from the recreational sector to commercial long line fishermen. The measure could be voted on at the council's next meeting Dec. 5-9 in Atlantic Beach, N.C., then sent to the National Marine Fisheries Service for implementation.

Recreational fishermen catch about half the dolphin we are allocated in our annual catch limit (ACL) while the commercial sector has exceeded its ACL during the past several years. The transfer of fish could come to nearly three million pounds.

The initial catch limits were set in 2004 when the SAFMC was convinced, and NMFS agreed, that dolphin was a most valuable species to the recreational fishing, with economic and social value vastly exceeding that of the commercial industry. Recreational anglers were given 92.5 percent of the fish, with 7.5 percent reserved for the low-dollar value commercial sector. Over the following years, the commercial industry grew its dolphin catch business and in 2013, the allocations were shifted to a 90-10 ratio.

The commercial industry continues to expand the dolphin business, mainly through the explosive growth of long-line fishing. The commercial catch of dolphin has increased from 600,000–800,000 pounds

in 2013 and will likely exceed 1.2 million pounds in 2016. They have their hand back in our piggybank for more fish after only three years.

SAFMC is considering four proposals, at the commercial longliners' request, for permanent or temporary ACL shift to the commercial sector.

One alternative is to maintain the current recreational

and commercial annual catch limits, but not close either sector until a total combined ACL is met. In simple language, the commercial longliners will keep fishing even after they exceed

what they are allowed to catch – as long as we are conserving our fish on the recreational side and remaining under our ACL.

A second alternative would set aside a portion of the total ACL (commercial and recreational combined) that could be used by either sector as a common pool allocation. In simple language, a percentage of their fish and ours would go in a third piggy bank we all can use if needed. Understand that the recreational fishermen have not come anywhere near their dolphin quota in the 12 years that a dolphin Fishery Management Plan has



**BOB
LORENZ**
SAFMC
Advisory panel

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Photo by Rip Woodin

From left, Dr. Chris Elkins, CCA NC president; UNC Fish Ecology Lab Director Matthew Kenworthy; CCA NC Executive Director David Sneed; and Bud Abbott, CCA NC chairman.

CCA grant helps oyster study

By Rip Woodin
CCA NC Editor

CCA North Carolina and the Building Conservation Trust, CCA's national habitat program, have partnered to fund \$100,000 for innovative oyster research conducted by Dr. Joel Fodrie at the University of North Carolina Institute of Marine Science in Morehead City, N.C.

The grant allows Fodrie and his team of doctoral candidates to continue ongoing research into oyster reef restoration. Matthew Kenworthy, manager of the Institute's Fish Ecology Lab, said, "If we have more good quality habitat, we'll have better and more fish."

It's not all as easy as dumping oyster shell into the water, he explained. The different habitats of sea grass, mud flats and oyster reefs along with varying water depths create a puzzle that takes research to solve.

Fodrie's research will include building 32 new oyster reefs using different materials and locations to determine the best practices for successful oyster cultivation. The researchers also will tag up to 60 fish of different species with acoustic tags to discover how they use the new and restored oyster reefs.

Fodrie, Kenworthy and their UNC research group will build 16 reefs using traditional cultch shell and 16 others using burlap and cement that presents a more three-dimensional structure. Also, of the 32 reefs, 16 will be isolated from seagrass beds while the rest will be immediately adjacent to seagrass. In total, there will be eight reefs of each unique combination of material and seagrass proximity to determine which combination promotes the best oyster growth.

To learn how various species react to the different reef types, locations and depths, Fodrie's team will acoustically tag fish such as juvenile gag grouper, flounder and red drum then track which combinations prove the most attractive to fish. Earlier tracking on existing oyster reefs in the Middle Marsh area behind Shackleford Banks showed how red fish came onto the reefs on a daily basis to feed on small crabs. The transmitters are \$330 each and last for about nine months, Kenworthy said.

The research team is already scouting sites and hopes to have all the reef materials deployed by June.

CCA NC Chairman Bud Abbott said, "We are

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CCA NC is a non-profit community of recreational anglers working to protect our marine resources for future generations to experience and enjoy.

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www.ccanc.org to join us
in our fight to preserve
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Judge's flounder ruling setback for conservation

In our summer edition, I wrote about North Carolina being on the verge of a "new day" in conserving our public trust resources. On Oct. 6, however, Judge John Jolly Jr. unexpectedly granted an injunction blocking state implementation of a supplemental plan to ease pressure on Southern Flounder, putting hopes for a "New Day" on hold.

After decades of overfishing, Department of Environmental Quality Secretary Donald R. van der Vaart last year saw a strong need for a supplement to the Southern Flounder Fish Management Plan (FMP). Following his authorization, the N.C. Marine Fisheries Commission (MFC) stood up to legislative pressure passing a supplement that made reasonable adjustments in gear times and set harvest limits to protect flounder stocks.

Those changes were to start Oct. 16 ending commercial gill nets until year-end, and a needless closing of recreational fishing and gigging harvest. Additionally, minimum size limits on commercial harvest were raised to equal the recreational catch and the very first quota was instituted on pound nets to bring some hope to restoring our Southern

CHAIRMAN'S REPORT



**BUD
ABBOTT**
Chairman

Flounder stocks. As CCA NC Editor Rip Woodin reports on the front page, Judge Jolly ruled the supplement was "arbitrary and capricious," which allows the season to continue almost unchanged. The injunction will leave in place a minimum size limit of 15 inches and gear restrictions of larger pound net escape panels along with increased minimum mesh for gill nets. The damage will come from there not being a closure of the commercial gill net Southern Flounder fishery on Oct. 16 along with no quota for the pound net fishery. In addition, daily reporting will not be required for the pound nets.

The real question is where do we conservationists go from here? The short answer is either the legislature or the courts.

As currently written the Fisheries Reform Act of 1997 ensures that the commercial industry has nearly free reign to our public trust marine resource. North Carolina has the most lax commercial fishing regulations on the East Coast.

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existed. The commercial sector has done it three years in a row. Guess who will get all the fish from the third piggy bank?

A third alternative is if a sector ACL is not met in a fishing year, establish a sector ACL "credit" derived from the difference between the total pounds of dolphin landed in the sector and the sector ACL for that same fishing year. This alternative would be good for recreational fisherman since our sector would bank fish, kind of like rollover data on your cellphone plan. We could have used something like this with cobia. I see no ability for the commercial sector to gain "credits," as they currently overfish their ACL.

A final alternative is to "conditionally" transfer a certain percentage of the recreational ACL to the commercial sector in the next fishing year, if a minimum recreational landings threshold is not met. (Ah, like you get my cellphone leftover rollover data.) If the commercial sector does not land at least 90 percent of its ACL, the next year transfer will not occur. Landings data from two years prior will be used to deter-

mine allocation transfers. In simple language, the commercial longliners will get the fish we conserve – they just must wait until the next year to have them.

Please make written or verbal public comment against this fish grab. We, as recreational fishermen and CCA, conserve for a reason and for the future.

Atlantic cobia: Measures to extend the 2017 season

The SAFMC wrote up new regulations to be implemented in 2017 for Atlantic cobia from Georgia to New York in federal waters. The Atlantic States Marine Fisheries Commission (ASMFC) was also involved since the area of the regulations exceeds the SAFMC boundary from Cape Hatteras south.

The proposed regulations will extend the fishing season beyond what SAFMC recommended in 2016, which called for a June 20 closure. The N.C. inshore season was extended beyond June 20 in 2016 because the N.C. Marine Fisheries Commission allowed the state to continue fishing longer, but at the risk of potentially falling out of compliance with the federal mandate. The decision risked potential consequences at the federal level if compliance was breached.

For 2017, the recreational bag limit would drop from two to one fish per day per person, implement a vessel limit of six fish, and raise the minimum size limit to 36 inches fork length. Commercial fisherman will get a trip limit of two fish per day, with a vessel limit of six.

The recreational fishery for cobia in federal waters, by closing June 20 in 2016, had profound effects on the recreational sector, particularly charter and guide operations in North Carolina and Virginia since it shortened the peak client season. The early closure in 2016 was required because the recreational annual catch limit was far exceeded in 2015.

The SAFMC must follow accountability measures that require a shortened season in the subsequent year.

The good news is that to date it is not evident that the recreational sector exceeded, or will exceed, the ACL for cobia in 2016. It appears that 2015, though a banner year, may have been an unusual outlier and just a lucky season for recreational fisherman. Though 2017 will come with more restrictive fishing, the season could last through the year. SAFMC is recommending on the cautious side until another few years of data may illustrate 2016 was just a lucky "fluke" for us.

Leaving gill nets unattended should be stopped

By Capt. George Beckwith
Down East Guide Service

CRUCIAL VIEW

When I started guiding up at New Bern in 1994, we ran duck hunts during the winter time, which is also when commercial fishermen were targeting speckled trout.

Back then, there was a little fish house in the back of every creek. Now the old fish houses are condominiums, and there is a lot less commercial fishing pressure now than there was 20 years ago.

The way most gill netters used to fish for trout was to set hundreds upon hundreds of yards of small mesh gill net, letting it soak for sometimes days at a time, especially when the water was cold.

Not only were these unattended nets killing the trout that were being targeted, but the mesh size was also perfect for catching striped bass and puppy drum that would never make it to legal size. The trout were kept and the bycatch, including dozens of diving ducks, other birds and undersized fish, were discarded dead.

All this changed in 2009 when the N.C. Marine Fisheries Commission pushed forward regulations that forced attendance of all small mesh nets in the Pamlico, Neuse and Pungo estuaries. The result is that commercial fishermen can still target trout, spots, croaker, mullet and other legal species, but they can no longer leave these nets unattended.

Forcing gill nets to be worked in a timely manner gives unwanted fish an opportunity to be released



Photo courtesy of Down East Guide Service

Undersized red drum have benefited from the attendance of small mesh gill nets, making pictures like this a thing of past.

alive. The results have been astounding with striped bass and puppy drum now making it into the keeper range. Unfortunately, legal size for a striped bass or red drum means that they can no longer easily pass through the holes of large mesh flounder nets and they are big enough to get it around the gills.

Undersized red drum have benefited from the attendance of small mesh gill nets, making pictures like this a thing of past.

Don't get me wrong, I am not against gill nets, and I believe that when they are used responsibly they can be effective at catching the targeted species with very little bycatch. I am a strong supporter of commercial fishermen, and I want local seafood and fresh bait, but I want it caught using responsible methods. Leaving thousands of yards of any kind of unattended net for soak times more than a few hours is irresponsible and should be stopped.

This summer we had some of the best fishing for keeper sized puppy drum that we have had in many years. Catching four or five keepers on each stop was no big deal. All this changed a few days after Sept. 5 when thousands of yards of unattended large mesh flounder net went back in the water.

These nets have not been allowed to fish during the warmer summer months because in addition to catching flounder and keeper-sized red drum, these nets also catch and kill endangered sea turtles. By early September, waters had cooled and most of the turtles had left the estuaries, therefore the nets were allowed to go back in the water.

Traditionally, these large mesh nets were deployed and retrieved by hand in short "shots" of a couple hundred yards. Now fishermen use huge "net reels" on the back of the boat that can quickly deploy a

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Veteran appreciates a great day fishing with CCA NC

This note is long overdue! I would like to thank you for all that you do for us veterans in seeing that we enjoy the N.C. coast.

Back in early May, I was part of the Project Healing Waters Fly Fishing group with Dan Estrem to take part in the spring outing.

I would have to say that there was nothing better than coming in from a day of fishing and then eating fresh fried fish on your dock. Grady and I went out with Mark and Banjo and had a great time on the ocean. This was Grady's first time to Swansboro with the group (he is a veteran of Afghanistan), so I was telling him how great the experience is for us veterans.

You guys did not let me down; as always we had a great time! Mark and Banjo were great guys to fish with and spend a day on the ocean. They made sure that we as amputees were safe and comfortable on the boat as we caught what the ocean would give us.

As I said before, the fish sandwiches on the dock were a real treat and the icing on the cake after a great

LETTER TO THE EDITOR

day of fishing. We both took some Spanish mackerel fillets home with us. I know that my wife, Denise, really loved the fillets that I broiled with onions, lemons, butter and Old Bay. Now, that's good eats!

These outings to Swansboro that you and the CCA put together with Dan are the talk of the Durham PHWFF group. The ocean fishing is a great experience with excitement and the realization that we are honored by the invitations from your friends to share in their local knowledge.

I'm sure you know and can see the joy that you bring us. I cannot thank you enough for the camaraderie and friendship that come into these events. I'm sure that it is a two-way street with the captains sharing their knowledge of the coast with us and helping us to do something different for a day. We get to talk about our

service and how great it is to share in the experience of coastal fishing.

Coming from Michigan, I know how much water and boats get your mind into a different mode; you need to respect both of them. Sometimes the impact of our service just does not end with our discharge from the military.

I've decided to send you a copy of a scrapbook that I put together back when I was not feeling so invincible. I put the foundation of the book together during my medical treatment in 2004-2005 when I realized that I wanted to hand something down to my boys about my service in the armed forces. This book wasn't written with the idea of marketing it, but something for my kids to pass on to the next generation.

Dan Tomzack
Durham, N.C.
Project Healing Waters

DAVIS

From Page 1

agement office doing planning, managing and overseeing development.

"I worked alongside fish biologists, so I have some starting knowledge. I fish some recreationally," he continued. "I'm not very good at it, but I share that love with you guys."

When Department of Environmental Quality Secretary Donald R. van der Vaart named Davis to the DMF post, he was charged with finding ways to collaborate and develop efficiencies with Coastal Management.

"I'm looking at all the program areas and the best practices at both agencies," Davis said. "The two could merge but it's not predetermined. We're looking at what we might want to recommend to the legislature," he said, adding that he will submit a report to the secretary later this year.

The DMF staff is under a lot of pressure to revisit new FMPs "before the ink is even dry," Davis said. "It's very challenging to deal with being poked over ones (FMPs) just finished. We've got to figure out how to revisit plans on an adaptive approach so we don't have to stick with something for five years if it's wrong," he added. "We want to improve

the clarity of the process. Data workshops and stock assessments haven't been open to the public but they should be. Public comment can be very valuable in the science process."

Davis said he has reviewed our documents on the dangerous decline of striped bass in the Central Southern Management Area and the DMF shares our concern. The division will start work on a new FMP in 2017, a year early. He also touched on the Mid-Atlantic forage fish issue, gill net closures to comply with the NOAA sea turtle Incidental Take Permit rules and cold stuns that affect speckled trout. His goal is to redefine cold stun protocols, improve data collection and get better field observations, Davis said.

He has more plans to expand the artificial reef program in the northern part of the state and develop a good management plan for leases as shellfish aquaculture gains momentum. There's potential for conflict, but that can be avoided with a good plan. DMF has also hired several new people to work in aquaculture development.

Board member Bill Mandulak pointed out that no economic dollar figure has ever been put on the recreational fishing



DAVIS

industry, that he sees a bias in favor of commercial fishermen.

"You should be focused on the resource, not so much whether the recreational or commercial guys have a full basket of fish," he said.

Davis said he has heard the same comment from others, "and on the other side. I'm coming in without an agenda, looking for balance between the two sides. I don't see bias on a daily, overt way."

Bob Lorenz, who is on an SAFMC advisory board, said everybody thinks they're an expert on the science of resource management when it really takes a Ph.D.

"The commercial fishermen say you're not doing an assessment where the fish are, but a valid assessment takes samples from all areas," he said, urging Davis to use science based assessments rather than public opinion. Lorenz suggested Davis visit Louisiana where the fishing "is getting better and better; everybody is winning."

Taking his turn, Dr. Tim Nifong said DMF has been sadly misinformed about what the Fisheries Reform Act says.

"I know because I wrote the draft of it. There is no language in the preamble that says commercial and recreational fishermen have to be treated equally with respect to allocation," Nifong said. "They're not similar and have disparate impacts so they should be treated differently."

"DMF has said it has to treat every-

one the same but that's a myth that's been perpetuated for 20 years. Your predecessor used that language as a crutch to make questionable decisions. If recreational fishermen have more impact they should be treated differently. The fishery is a public trust resourced owned by 10.5 million people in North Carolina not just 2,500 licensees. Use the FMP, depend on science and let the chips fall where they may."

"Point well taken," Davis responded, "but we don't want to get rid of the commercial industry and there is tremendous value to the recreational industry. We'll use the FMP as the process."

Bert Owens urged Davis not to ignore DMF's own statistics and data.

"We've been asked to have patience but the catch numbers on your web site show a steady decline," he said. "What we want is for the lines to trend back up. We don't want to just get along; it'll be too late if we do that. Don't ignore your own stats and data."

Chris Elkins explained Dr. Joel Fodrie's oyster reef project then asked Davis for help to remove 100 tires from various creeks.

"We need a shallow-draft boat with a boom or 100 people," Elkins said.

Although several commercial fishermen declined the job, Davis said no permit to remove the tires is needed and DMF may be able to help.

OYSTER

From Page 3

deeply concerned about the quality of our waters, the conservation of our public trust resources and their habitat. The vast majority of our state fisheries are in serious trouble. Dr. Fodrie's project will

provide critical information to our fishery management leaders necessary to better restore our public trust resources for all citizens of North Carolina."

"Partnering with CCA North Carolina and the Building Conservation Trust presents a fantastic opportunity for us to do some creative science that can positively impact our state's fisheries and marine ecosystems," said Fodrie. "We're

proud to be a part of an effort that brings together anglers, researchers and the private sector to increase our knowledge of how to be better stewards of the marine environment."

"This project is a blend of science and habitat restoration, and it is a perfect example of the kind of work BCT was created to do," said Sean Stone, executive director of BCT. "We're excited to

see the results of this research and how that new information can be applied to future projects."

CCA, the Building Conservation Trust (BCT) and Shell Oil Company are providing funding for the North Carolina project. For more information on BCT and its marine habitat work around the country, visit www.buildingconservation.org.

'Fishing for the Future' makes kids happy

By Callie Freeman
CCA NC Writer

Members of the Onslow Bay and Crystal Coast chapters of CCA North Carolina joined with coastal angling outfitter Hook and Bones in August to host the inaugural CCA NC "Fishing for the Future" youth tournament in historic Swansboro, N.C.

The tournament was held in conjunction with the Hook and Bones Redfish Open, the third stop on the renowned Carolina Redfish Series. The tournament was catch and release only and allowed participants to fish from shore, pier or boat and kayak.

All youth anglers registered during the Captains' meeting were given a Zebco 33 rod and reel combo and tackle box courtesy of Zebco, the North Carolina Wildlife Resource Commission and Parker BioLabs. Kids also went home with a tremendous amount of swag including tournament t-shirts, tackle, the latest edition of Rising Tide magazine and other gifts.

On the day of the tournament 27 youth anglers, ranging in age from 18 months to 17, competed for awards in separate age divisions. In all, more than 60 fish were caught and released. For the 12 and under division, Donovan Nelson took home the award for Longest Redfish (15.5 inches) while Ryland Feimster captured the prize for Longest Flounder (12 and seven-sixteenths inches). Ryland also snagged the prize for Most Unusual Fish by landing the elusive pipefish.

Four-year-old Emmitt Nelson was the runaway winner for Most Fish Caught with a staggering combination of 18 redfish, flounder and black drum. Marley Jones, also four years old, reeled in the title of Lady Angler and secured the win for Smallest Fish Caught after landing her tiny 3.5-inch pinfish. Nick Taylor rocked the 13-17 age group by sweeping all five categories. Prize packages for winners included rods, reels, and gear bags stuffed with tackle.

During the tournament's afternoon festivities, kids were treated to exhibits led by Dr. Joel Fodrie's research group from the prestigious UNC Institute of Marine Sciences. Fodrie and his students



Anglers participating in the first 'Fishing for the Future' youth tournament received a Zebco 33 rod and reel combo and a tackle box. Nearly 30 youth anglers competed for prizes in separate age divisions.

Photos by Randy Nelson, Callie Freeman



displayed a coastal touch tank and provided a multitude of preserved marine specimens for children to handle including sharks and popular sport fish.

Volunteers with Possumwood Acres Wildlife Sanctuary were also on hand with local wildlife including a sociable opossum and an inquisitive barn owl.

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GILL NETS

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thousand or more yards of connected nets along the shoreline at one time.

Regulations require that these nets can only be set one hour before sunset and must be retrieved no later than one hour after sunrise so for most recreational anglers this fishery is “out of sight, out of mind.” The negative effects of these unattended nets were starkly noticeable by those of us who had been fishing every day.

We often saw large mesh nets soaking long before legally allowed. The commercial fishermen are only allowed to keep seven red drum per day, but there is no way a thousand yards of gill net strung out on our prime fishing grounds are catching and killing only seven red drum.

Several days after these unattended

large mesh nets were allowed back in the water our excellent puppy drum fishing all but evaporated. My hope is that these disappearing fish were displaced and fled to deeper water and other locations, but my guess is that too many of them left under the cover of darkness, out of North Carolina on a truck and unreported as required.

The solution?

These fishermen should be allowed to fish during the daytime, but their net lengths should be reduced from 2,000 yards/person in the sound (1,000 yards in the rivers) to an amount that they can responsibly use to “strike net”. These nets should be attended at all times and have soak times of less than two hours, ensuring unwanted bycatch an opportunity to survive, including turtles, sturgeon and our red drum and striped bass. If you fish it, you have to be with it and you have to work it.

Part time commercial fishermen should not be allowed to leave gear in

the water while they go to their other job. Give the resources to law enforcement that they need to be more effective. Educate judges so that there are real consequences for breaking the law.

Southern Flounder and the CCA NC

This is from a CCA NC press release dated Sept. 1.

“Recreational Southern Flounder Season Closes Oct. 15. The N.C. Marine Fisheries Commission adopted this new recreational closure last November as a part of their plan to stop the continued over-harvest of Southern flounder. CCA NC did not support a recreational closure considering that the commercial fishermen accounted for almost 90 percent of the harvest of Southern flounder.

“CCA NC supported other options including a 15-inch size limit for all fishermen; a prohibition on the use of anchored (unattended) large-mesh gill

nets in inshore waters; the immediate implementation of a TAL (total allowable limit) for the pound net fishery that would reduce that harvest by 25 percent from the historic high of 2013; a moratorium on new pound net sets; and trip limits for commercial giggers. All of these options were included in the Proposal 1 submitted by Commissioner Mike Wicker and supported overwhelmingly by thousands of recreational anglers, sportsmen and conservationists during the public comment period. However, Commissioner Wicker’s proposal never even received a vote, dying at the November meeting due to the lack of a second.”

Although I have not always seen eye to eye with the CCA NC, their recommendations on flounder regulations were excellent, and ignored. Perhaps if they had a little more power, a little more could get done. I therefore encourage you to join by clicking on www.ccanc.org.

RULING

From Page 4

The FRA should be modified to put the “Resource First,” a message that CCA and other conservationists support.

The Division of Marine Fisheries has also been crippled by the legislature. North Carolina’s legislative budget process has repeatedly removed funds from the DMF budget. The declining funds has forced DMF to pay less than market salaries to recruit and retain qualified scientists who can help manage our fish-

eries properly.

The present condition of DMF came at the hands of previous DMF leadership and legislative leaders. The time has come for conservation to take primacy over maximum extraction for short-term economic gain.

This year DMF will start a new fisheries plan for Southern Flounder beginning with a multi-state stock assessment that will hopefully eliminate arguments over actual numbers of flounder. There also appears to be some interest among conservation-minded legislators to tackle some of the fisheries management problems that now exist. Undoubtedly

the commercial industry will try to stop any positive conservation change and restrict the MFC’s authority since it did so in the last session. CCA NC will continue to push for true science-based management and the restoration of our fisheries.

Your CCA and its leadership have spent thousands of hours and dollars in the last 10 years to change the future of your public trust marine resources. We have managed to remove commercial fishermen from the recreational seats on the MFC and help put the first scientist on the MFC who does not have a commercial fishing license and background.

We also help get non-commercial license holders appointed to some of the “At Large” seats. Our leaders and members have walked the halls of the legislature to discuss needed changes in Fisheries Reform Act of 1997 and other pieces of legislation.

These problems and conditions are not about “sides.” This is about whether N.C. wants to put the resource first or not, above any user group or citizen interest. This just may be the year it happens. So stay tuned, and when we ask for your help, come join us to preserve our marine resources for future generations.



GRADY-WHITE



Nelson takes over N.C. Marine Patrol

Col. Dean Nelson took command of the N.C. Marine Patrol on Aug. 1, according to a press release from the N.C. Division of Marine Fisheries. He succeeds former Marine Patrol Col. Jim Kelley, who retired July 31.

With 21 years of service in the Marine Patrol, Nelson knows the responsibilities that come with the promotion.

"We've got the best group of officers that anyone could lead," Nelson told family and co-workers attending his pinning ceremony. "We're going to meet every challenge that comes before us."

Dr. Braxton Davis, director of the NCDMF, praised Nelson's extensive knowledge of marine fisheries rules and processes.

"I think you would all agree he has earned the utmost respect from everyone in the division over the years," Davis said. "His natural-born leadership abilities will allow him to guide the Marine Patrol in the right direction for many years to come."

One of Nelson's first priorities as colonel will be to review all Marine Patrol policies and make sure officers in all three districts are following the enforcement guidelines.

"My goal is to ensure consistent and fair enforcement throughout the state for all citizens," Nelson said.

He also wants to make sure the officers work together as a team. He plans to form cross-district workgroups to look at different issues as they arise.

Nelson began his career with the Marine Patrol in June 1995 in the Southern District, where he was a field officer in the Sneads Ferry area.

In 1999, he transferred to the Central District, where he patrolled the Down East communities of Carteret County. He was promoted to sergeant in August 2011 and to major in May 2014.

Prior to joining the Marine Patrol, Nelson was a deputy with the Carteret County Sheriff's Office from 1991 to 1995. He grew up in Harkers Island, graduated from East Carteret High School and received his Basic Law Enforcement Training certificate from Carteret Community College in 1990.

CCA NC congratulates Colonel Nelson on his well-deserved promotion, said Executive Director David Sneed. "We wish him much success and look forward to working with him."



Amy Nelson, right, pins golden eagle wings to the shirt collar of her husband, Marine Patrol Col. Dean Nelson.

Steinburg questioned for naming proxies to Atlantic States council

Unable to attend the Atlantic States Marine Fisheries Commission (ASMFC) meeting in Alexandria, VA earlier this summer, the Legislative member of the NC ASMFC delegation, Rep. Bob Steinburg of Edenton, designated the president and registered lobbyist for the N.C. Fisheries Association, Jerry Schill, to serve as his voting proxy at the meeting.

The governor appoints all three members of the NC ASMFC delegation. CCA NC contacted the Governor's Office with concerns that the designation of a voting proxy for the Legislative member

seat appeared to violate N.C. General Statute 113-254 that specifies only the state fisheries director member of the three-person N.C. delegation can designate a voting proxy.

In addition, the appointment of a registered lobbyist to serve on a state commission certainly brings state ethics laws governing lobbying into question, said Bud Abbott, chair-



STEINBURG

man of CCA NC.

In his Weekly Update to the NCFA membership, Schill maintains that there was nothing "illegal" about his appointment as the Legislative voting proxy even as he details how he voted on increasing the menhaden harvest quota. The biggest beneficiary of an increase in the menhaden quota would have been Omega Protein, a commercial operation that harvests and processes the fish for fish oil and fish meal. In addition, menhaden is a popular bait for both recreational and commercial fishermen, par-

ticularly in the blue crab fishery.

The Governor's office, however, agreed with the CCA NC interpretation of N.C. Statutes and directed Donald van der Vaart, secretary of N.C. Department of Environmental Quality, to remove Schill as the Legislative voting proxy.

Steinburg has since named David Bush, a scientist with the N.C. Fisheries Association, as his permanent proxy. CCA NC will continue to watch with interest how the Offices of the Governor and Secretary of DEQ sort this out, Abbott concluded.

FUTURE

From Page 7

The kids enjoyed engaging the animals and discovered from the volunteers the important role they will play as the future stewards of the coastal ecosystem they call home.

After the event, Hook and Bones founder John Moore reflected, "I've been

involved with the Hook and Bones tournament since it began in 2012. The best memory so far was this year's youth participation in the 'Fishing for the Future' event. Seeing the gratification on those kids faces when accepting their awards was simply the best."

Randy Nelson, father of two participants, said, "The CCA Hook and Bones 'Fishing for the Future' tournament is truly a special event. There's nothing better than watching the future of the

sport light up with excitement with every fish. Explore Inshore is proud to help support such a fantastic event."

CCA NC Chairman Bud Abbott expressed gratitude to John Moore and all of the staff with Hook and Bones for providing a platform for the "Fishing for the Future" tournament and "for the enthusiastic support that we received throughout the tournament process."

He also thanked the following sponsors that contributed so generously to

swag bags and prize packs: Fathom Offshore Lures, Haw River Tackle, Inc., I Need it Now Trophies, Saltwater Grill, Stevenson Chevrolet, Smith Custom Homes, Haley and the Hound, the N.C. Division of Marine Fisheries and Portarod. Thanks also go to Explore Inshore for digitally capturing this event.

"We look forward to continuing sharing CCA's message with the youth of North Carolina and growing this event in the future," Abbott said.

Shooters blast lots of clay at fundraiser

By Rip Woodin
CCA NC Editor

The Billy Byrd Nationwide Insurance team of D. Lon Downing, Chuck Laughridge, Clark Hutchinson and Smoot Carter won the Second Annual CCA NC Sportsman's Conservation Legacy Shootout Aug. 27 at Drake Landing near Fuquay-Varina.

The tricky, 13-station trap course at Drake Landing raised more than \$5,500 for CCA NC's programs that are aimed at preserving coastal marine fisheries for future generations, said Executive Director David Sneed.

There were 14 teams with four shooters each who participated in the event sponsored by Regulator Marine with the help of the Potash Corporation of Aurora and Grady-White Boats, Sneed said.

After all teams rotated through the wooded course,

the top three teams had a shootout to determine the winners. Lead Poison with Keith Moore, Paul Cox, Eddie Moser and Luke Moser earned second place while Grady-White Boats with Chris Smith, Travis Stephenson, Chad Daniels and Tramp Stafford finished in third place.

Top Individual shooters in order of finish were Chad Daniels, Don Price, Dick Brame and Travis Stephenson.

Reed Wheless and Rollie Tillman IV, tied for Top Youth shooters. They were followed by Quentin

Cain, Cameron Mason and Drake Allen. Smoot Carter won best Side-By-Side shooter.

The Nationwide Insurance team won the "Cheney Trophy" for its expert marksmanship plus a set of CCA rocks glasses hand-painted by Sheila Shamel, and CCA inshore spinning combos.

After a lunch of ribs and



Photos by Rip Woodin

barbecue chicken, the crowd was treated to a whisky tasting by Beam Suntory and Southern Glazer's Wine & Spirits, cigars from JR's and beer provided by Mims Distributing.

Above, Dick Brame takes aim at two clays over water. He won third place among individual shooters. Below left, Chris Smith, standing, of Grady White Boats watches as David Sneed tallies results. Below right, the Cheney Trophy goes to the winning team in the shootout. Below center, the winning team, from left, was Chuck Laughridge, Smoot Carter, Clark Hutchinson and D. Lon Downing.



Proclamations clear as gobbledygook

This past week, my mailbox has been chock full of proclamations from the Division of Marine Fisheries. Every one I opened made me mad.

Our state is still permitting the use of destructive gill nets, as the proclamations poured in opening that season on Oct. 3 at 5:47 p.m.

It would take a Philadelphia lawyer to figure out all this gobbledygook. There are loopholes and gray areas for the commercial fisherman to dance around and have a field day in our coastal waters. This comes as a great expense to all of us recreational fishermen.

It was written that the use of gill nets with a stretched mesh length of four inches through 6½ inches was unlawful in our state's internal waters. Then when I read a bit farther the proclamation stated: Except as described in section II.

In section II, there were Management Units B through E, that allowed the use of these nets. Then there were subunits to these same areas with boundaries marked like 35°00.2780' N-76°, which is near Wainwright Channel.

Then the proclamations read farther to describe how those gill nets could be legally used in SGNRA-1, 2, 3 and 4. I do not think the commercial fishermen bother to figure out all this legal mumbo jumbo. They just go on catching all the fish any way they want to as usual.

Most of the rest of the proclamations go on to describe gill net construction and use requirements. They tell where only single overnight soaks are permitted.

GUEST COLUMNIST

I wrote last week about the Division of Marine Fisheries halting the season on flounder for us recreational fishermen, and how the commercial fishermen were still allowed to catch these fish after Oct. 15 until their quota was met.

Well folks, if the flounder are in that short of supply, the quota has already been met for all of us.

Let me share with you some of the things I have witnessed when it comes to these destructive damnable gill nets.

We like to fish the northern shores of the Pamlico Sound, especially when it gets cold after Thanksgiving. That is when the speckled trout move into the creeks. They are large and they will slam our Mirro-lures. It is a lot of fun.

Just as soon as we start catching them around Dec. 1, the commercial fishermen are watching us to locate the schools. The next day when we went back there were dozens of gill nets stretched all along the bank.

We did not have a place to fish except out in the middle of the creek. The trout did not stand a chance to even get close to their wintering grounds. They were

harvested by the hundreds and the whole school was wiped out.

On a recent trip to the Atlantic Ocean to troll for Spanish mackerel, we came across a long gill net. The tide was falling and we could not buy a strike on any of our lures.

The commercial fisherman was busy reeling in his net. Entangled in the mesh were dozens of Spanish mackerel as long as my arm.

He kept pulling them into his boat. When he reached the end of his net, he went back to the breakers and put the gill net out again.

In the mouth of the Bay River we watched in amazement as a commercial fisherman stretched his gill net from one point to another. He made a big semi-circle with that net.

Then he revved up his boat motor and made a huge wake to scare all the fish into the net. He did this for so long it just ruined all opportunities for us recreational fishermen in that area. The problem was we were catching some really nice trout in that area before he suddenly showed up.

Do you see why I hate a gill net? I want to tie them all to the boat and go round and round, finally dragging them useless to the very bottom of the sound.

And yet the proclamations and the gray areas just keep pouring in. We have got to do something about these gill nets.

If you could see all the small dead fish in these nets I have seen you just might feel the same way.

What a needless waste to such a valuable resource.



KENT KING
Guest
columnist

CCA NC event schedule

Oct. 27: Fayetteville banquet, Metropolitan Room, 109 Green St., Fayetteville.

Oct. 28-29: PHW/MAR-SOC/WW veterans' fishing weekend, Swansboro. Boat captains needed. Contact CCA NC at 919-781-3480.

Nov. 4-5: Coastal Conservation Inshore Open fishing tournament. The Boathouse Marina, 2400 Lennoxville Road, Beaufort.

Nov. 10: Triad Banquet, High Point Country Club, 800 Country Club Drive, High Point.

Nov. 16-18: N.C. Marine Fisheries Commission meeting, Hilton Garden Inn, Kitty Hawk.

Feb. 15-17: N.C. Marine Fisheries Commission meeting, Blockade Runner, Wrightsville Beach.

Official sunglasses
of the CCA NC



Lucky angler could win Chevy in CCA Inshore Open fishing tourney

By Callie Freeman
CCA NC Writer

The Coastal Conservation Association of North Carolina is inviting anglers to compete in the 2016 Coastal Conservation Inshore Open where one lucky fisherman could win a 2016 Silverado pickup.

Regulator Marine Inc. is presenting the tournament with additional support from Grady White Boats, Parker Boats and Dr. Cas Cader. It will be held Nov. 5 at the Boathouse Marina in Beaufort.

This is an aggregate weight tournament with cash prizes of \$2,500 for first place, \$1,250 for second and \$500 for third. Prizes will be awarded to boats with the heaviest combined weight of one redfish and one speckled trout. The prize pool may increase depending on the total number of entries received, said Bert Owens, CCA NC executive board member and tournament chairman.

The entry fee for the tournament is \$300 with a maximum of three anglers per boat. "Two tournaments within a tournament" will also take place for heaviest individual red drum and speckled trout. Anglers may pay an additional \$25 for each individual competition if they wish to be included, Owens said. CCA NC merchandize prize packages will also be awarded to individuals topping the Lady Angler and Youth Angler categories. Moreover, all youth competitors who enter the tournament will take home limited edition CCA NC gear, he added.

As an exciting addition to this year's event, participants will have a chance to win a new 2016 Chevy Silverado 2500HD by catching a CCA NC tagged redfish. The truck, an exclusive Saltwater edition, includes upgraded custom wheels and tires with leveling kit, custom toolbox with rod racks attached, signature graphics and comes equipped with the top of the line LTZ trim pack-



This 2016 Chevy Silverado pickup could be awarded in this year's Coastal Conservation Inshore Open.

age, explained Owens.

Researchers with UNC's Institute of Marine Science and N.C. State's CMAST will be responsible for tagging and releasing between three and 10 redfish. Clues to release locations of the fish will be divulged during the captains' party that will take place at 5 p.m. Nov. 4 at the Boathouse in Beaufort's Front Street Village. In conjunction with the captains' party, the Crystal Coast Chapter of CCA NC will host a Member Appreciation Toast & Oyster Roast complete with chowder, seafood dips, lively libations and all the trimmings.

A portion of this year's tournament proceeds will benefit the Crystal Coast

Hospice House, the only inpatient hospice care facility that serves Carteret, Craven, Jones, Pamlico and Onslow Counties. The house, situated on an 11-acre campus, provides 10 private suites for patients and their loved ones during end of life care. Hospice House was built in the style of a coastal mainland home and features a chapel, study, private patios, walking paths, gazebo, landscaped memorial gardens and fountains giving it a warm, comforting and familiar environment for local families.

"The Hospice House and its employees are an incredible blessing to our community," Owens continued. "The facility relies on civic fundraising to ful-

fill its mission and provide exceptional inpatient care in perpetuity. We at CCA NC are tremendously pleased to support the Carteret Hospice House and continue the program's spirit of 'together, for each other.'"

Owens said the Carteret Hospice House has cared for scores of patients and their loved ones in the five surrounding counties and beyond. To learn more about the Carteret Hospice House, please visit www.crystalcoasthospicehouse.org. To learn more about the 2016 Coastal Conservation Inshore Open Tournament and to register online, please visit ccanc.org or call (919) 781-3474.