

Ladies and Gentlemen of the NCWU,

I sit here this morning, and I can't believe the kids go back to school this week. I can remember my grandfather - on more than one occasion - telling me that as I grew older, Time would seem to grow wings. Indeed, it seems to go faster each day. This passage of time, as I look back ten years, is what has gotten our fisheries where they are today. Fishery regulations, without accountability on the part of the regulators, the boards, the commissions or the elected representatives, have compounded the burden we face as we look to impact our future.

Being involved with the NCWU has allowed me the privilege to engage in conversation with people I would have not necessarily have talked with a number of years ago. Inevitably, the conversation always gets around to "How did you get to this point?" How did an industry that is totally responsible for this country's being settled - by providing a ready source of protein - get to the point that it is basically regulated to the verge of survival? How did the charter/headboat industry - the beginning of the tourist industry on the Outer Banks - get to the point that it is fighting for its survival? The answer is ... Time. The forces arrayed against professional watermen have devoted much more time in reducing our influence, than we have in maintaining our presence. There is nothing intrinsically wrong with this. It is what it is. We do, however, need to reverse this trend, to which the NCWU is diligently striving.

Our past president, Ernie Foster, likes to invoke an old phrase, "Death by a Thousand Cuts," to characterize what has befallen our industry. Our adversaries realize that without economic solvency, our industry cannot survive. To which end, they have been working extremely hard. "Cut this out; Cut that out; Regulate this; Tax that; Proclaim this; Contribute to this candidate..." You get the picture. This is the reality of today. Look only as far as our charter/headboat fleet and our dedicated commercial fishermen, and you will see "Death by a Thousand Cuts." If the professional watermen do not have a fall-back contingency, then we do not have a rosy economic future ahead. Our industry has to roll with the punches; take what God gives us and adapt. Our adaptability is what has allowed us to survive to this point.

The politically-involved in our industry started at the top as we tried to control our destiny. We started with the National Marine Fisheries Service, the various councils and commissions and the state. We inserted ourselves in discourse about our future with the Marine Fisheries Commission and the Joint Legislative Commission on Seafood and Aquaculture. We have inserted ourselves in discourse with our state and federal elected officials. I do not use the term "inserted" loosely. Yet, our professional industry, (the charter/headboat and commercial), has not been asked to take part. We have been licensed, regulated and taxed without equal representation, and Time keeps on clicking by. Each and every group and individual that has allowed this to take part is guilty, and many ask what future we have without our state support.

As our industry continued to bleed, the NCWU backed up, put its heads together and opened another door. This door is the Dare County Board of Commissioners. We made an official presentation to our Board of Commissioners, and the members listened. Not only did they listen, but they have started the process of healing. The task is daunting, but they are up for it. They have brought in the Boards of Commission of other counties, and they have engaged in working conversation with our state elected officials, including Marc Basnight and Tim Spear. Our county has engaged the Marine Fisheries Commission and its director, Louis Daniel. This is where the rubber meets the road, folks! Will our county, and our state, have the political backbone to do what is right? This is a question in the forefront of many people's minds as we see the ramifications of a weakened economy in our county, state and nation. Will our elected officials and their political appointees, realize that accountability is being sought by the people they serve? It is time that we demand it!

Being a part of the political process can be as involved as you would like. The first step is to make sure you are registered to vote. The second is to pay attention to the candidates and the positions they espouse. Is their platform one that contributes to our historical fisheries, and our local economies - with a nod to the future? On many ballots, there are many candidates that are running unopposed. If these candidates do not support our localities, our state and our nation, then don't vote for them! You can write in a candidate for any political office. A dip in percentage of votes is not lost on the electorate, nor is it lost on the candidate. The registered voter and the taxpayer wield the greatest amount of influence over public office. The candidates exist for us, not vice-versa. Never forget that.

In closing, I would like to take the opportunity to ask you to take part. First, send us your dues. If you are not part of solution, then you are part of the problem.

Second, vote, or register to vote. If you have a question about how to do this, contact us, and we will steer you in the right direction.

Third, we have a list of people for you to thank. First is the Dare County Board of Commissioners. They have established

the Commission for Working Watermen (CWW), which is advising them on issues of importance. The chair of this Commission is Mike Johnson, who deserves a special thank-you. This Commission decided that the first order of business was to re-establish a dogfish fishery in our state. Mike took a couple of industry representatives this past week to work toward that aim with the Atlantic States Marine Fisheries Commission. North Carolina has been arbitrarily shut out of this fishery for seven years, even as Massachusetts and Virginia allow their fishermen to work. This arrangement is not acceptable. Although the Dogfish Fishery doesn't seem to have much to do with the charter/headboat industry, the precedent set by our county involving itself in affairs that affect our local residents has everything to do with the charter/headboat sector. The issues that will directly affect the charter/headboat sector are coming, and the membership of the NCWU and its activism are the only factors that have kept arbitrary regulation at bay. Remember the CRFL – the new saltwater fishing tax that has not lived up to its hype by the MFC? TALK ABOUT MIND-BLOWING! We're going to send an update on this later.

The last thing I want to ask is that you email Marc Basnight's office – Marcb@ncleg.net. Tim Spear has called for a meeting with the Working Watermen's Commission, and Marc, himself, has been asked to attend along with his fisheries appointee. The progress for our fishermen, and our communities, is based on non-partisan support. I have asked that Marc find the time to attend such an important meeting.

I'm standing by...

Keep 'er tight!
Shack

Britt Shackelford, President, NCWU
info@doghousesportfishing.com

Appeal on the Snapper/Grouper Ruling

Tilman Gray
avonseafood@aol.com

In the case involving the Snapper/Grouper Complex, Judge Bates originally ordered the NMFS to give us meaningful relief for their wrongdoing in Amendment 13. This amendment cut back the catch to 100 pounds per daily trip, which was a 66% reduction for snowy grouper, vermillion snapper and golden tile.

NCFA and Avon Seafood met with NMFS to work out the issue. We, the plaintiffs, felt that meaningful relief meant a relief in some of the regulations and recreational accountability, but at our last hearing with the judge, he announced that the government was doing everything it could do to help the plaintiffs.

We have filed an appeal, and it will be heard in September 2008. To date, basically what Judge Bates has said is that the federal government could do whatever it wants, no matter what the states or local governments say, regardless of the impact it has on its citizens.

Photo by Melba Milak
"Tall Bill"

Commercial Fisherman in Hatteras

Commission for Working Watermen

Jamie Reibel
phideauxfish@charter.net

When members of the NCWU enlightened the Dare County Board of Commissioners (DCBOC) about the plight of the working watermen of Dare County, the Board recognized the need for a special committee to keep the Commissioners informed on fisheries issues, and the Dare County Commission for Working Watermen (CWW) was formed.

The CWW has come to learn that our elected officials need our help understanding and deciphering fisheries laws and regulations. With a National Marine Fisheries Service that is not exactly pro-commercial fishing and state fisheries' managers not able to help because of being bogged down by federal regulations, first the CWW and the DCBOC; then our

state elected officials, and then our state fisheries' managers – and probably in that order – must fight to preserve North Carolina's fisheries. Without the CWW highlighting the problems and our elected officials working to correct them, North Carolina would lose the economic contribution and important heritage of its traditional commercial fishing. The CWW's first fisheries management correction is that of the spiny dogfish allocation, of which we have the backing of our state officials. The outcome has yet to be realized, but common sense says we will be successful.

Without NCWU, there would be no CWW, and both organizations are protecting your rights to enjoy our coastal fisheries resources – whether by enjoying a trip on a charter boat, harvesting wholesome food for citizens and visitors or just surf-fishing.

NCWU is working for you!

Spiny Dogfish
Courtesy NOAA

The Spiny Dogfish

Dewey Hemilright
FVTarbaby@embarqmail.com

Since the ASMFC (Atlantic States Marine Fisheries Commission) plan for spiny dogfish came on line in 2002, North Carolina has been unfairly treated in the management of the plan, and our state fishery representatives have done nothing to see that this treatment is changed. The stocks are not OVERFISHED, and OVERFISHING is not occurring. So why aren't we fishing? Because there has been NO oversight of the plan by ASMFC or our state. WHY NOT?

The CWW brought forward resolutions to the DCBOC asking our state director, Louis Daniel, for a 1.3 million-pound quota of spiny dogfish for the year 2008. This is based on North Carolina's landing average of 15% from 1988 – 2001.

We felt that this would be an "easy one" for everyone to support, since this has been going on for six years with no remedy. Yes, six years!

Had there been a state-by-state quota since 2002, North Carolina would have had the chance to land over 3 million pounds of spiny dog instead of less than 700,000.

We fishermen have been told that we need to rebuild the stocks and then you can go fishing again. WHY AREN'T WE FISHING?

The question and answers fall directly on our state fishery representatives and our elected officials that are sent to Raleigh to look out for their fishermen and communities.

There is NO reason that North Carolina should not have a 1.3 million pound quota and its fishermen fishing in 2008 - unless our state does not want a commercial fishing industry. Nobody wants to play hardball; everyone is playing whiffleball instead.

Let's just wait and see

ASMFC Meeting Update

At the Atlantic States Marine fisheries Commission meeting in August, no decision was made about NC's Dogfish fishery. Two opinions have been sset up for public opinion.

1. After the Dogfish Fishery reaches its quota (58% from Connecticut north and 42% from NewYour south) the Dogfish Fishery will be closed, or

(2) A state-by-state quota system will be allocated, of which there are already eight or nine plans.

Another ASMFC meeting is scheduled for October 2008.

Energy Crisis

Clifton Parker
Lpark97@aol.com

The following letter was submitted to our Board of Directors by one of our members, a charter boat captain in Hatteras. The board voted to accept it and sent the letter to our elected officials in the United States Congress and to all of our North Carolina General Assembly Senators and Representatives.

Dear Senator/House Member,

The dramatic fuel increases are having a devastating effect on the watermen of North Carolina. We are interested in increased domestic production of our energy resources in the United States.

The policy of neglecting our domestic supply and the reliance on foreign powers for our energy source is a failed policy.

We favor an aggressive policy of domestic drilling for oil, gasification, nuclear power, solar power, wind power, the conversion of oil shale to useful product, electric and hybrid vehicles or any other method of energy production as it is developed.

We have a petition at Teach's Lair Marina in Hatteras, North Carolina, supporting this policy and have collected hundreds of signatures. We will send copies on request. The energy issue is emerging as the biggest problem facing our country.

The United States Congress is the biggest obstacle in our being able to increase the production of domestic oil. We would like your support for the development of domestic energy supplies, and we will monitor your individual votes on energy issues.

Make no mistake, the American public has its eye on the energy issue.

Yours truly,
NCWU

Please remember to send your email address to MelbaNCWU@charter.net. Our next newsletter will be electronic!

It's Not about Birds; It's about Access

John Couch, OBPA President
guitarcouch@earthlink.net

In the early 1970s, two executive orders mandated that an Off Road Vehicle (ORV) Management Plan be developed in all National Parks as part of the requirement to allow off-road driving. The Outer Banks Preservation Association (OBPA) and others worked with the National Park Service and developed an ORV Management Plan for Cape Hatteras National Seashore in 1978. This plan was sent to the Department of the Interior in Washington D.C. and eventually died in the morass of Washington politics. Currently, there is a Negotiated Rule Making Process to develop the ORV Plan, and about 30 stakeholder groups have been assigned the duty to develop this plan.

In July 2007, Federal Judge Terrance Boyle issued an opinion stating that ORV driving without a special use permit is against the law. This opinion opened the door for a lawsuit. Three environmental groups, the National Audubon Society and the Defenders of Wildlife represented by the Southern Environmental Law Center, filed a 60-day notice of intent to sue in October 2007. The lawsuit claimed irreparable harm to birds, and the cause was lawlessness of beach driving. In February 2008, these groups filed for a temporary injunction to ban beach driving in our seashore. In the aftermath of the lawsuit - with virtually no public participation or input - a consent decree was enacted. The choices offered to the public were either a park-wide ban on beach driving, or opportunities for access with the consent decree. Since the enactment of the consent decree on April 30, 2008, unprecedented beach closures for birds have all but closed off the most popular recreational areas to residents and visitors, including pedestrians. These unnecessary actions have put an economic hardship on the Outer Banks communities.

What can we do? US. Representative Walter Jones has introduced to Congress, Bill HR 6233. Senators Elizabeth Dole and Richard Burr also introduced Bill SR 3113 to the Senate. These bills call for the lifting of the consent decree and a return to the equitable Interim Bird Species Management Plan until the ORV plan is completed.

Please call your representative and ask for the co-sponsorship of these bills. OBPA would like to thank the NCWU for its support on returning the Cape Hatteras National Seashore to a more equitable management policy and its support of these bills.

Economic Impact Study

Sara Mirabilio
saram@csi.northcarolina.edu

The *Recreation Value and Economic Impacts of the North Carolina For-Hire Recreational Fishing Fleet Study* is a year-long project funded by a NC Fishery Resources Grant for \$70,348. The Principal Investigators are Ernie Foster and Rom Whitaker, both past presidents of NCWU and charter boat captains in Hatteras, and Dr. Chris Dumas, Associate Professor of Economics, at the University of North Carolina at Wilmington.

Two groups of individuals are being surveyed to assess the impacts of For-Hire fishing activity on the regional economy and the economic benefits to the fishing persons – 1. The For-Hire fishing vessel owners and captains, and 2. The For-Hire fishing vessel passengers.

Two types of analysis will be conducted using the survey data – economic benefit analysis and economic impact analysis. Economic benefits are a measure of the value of the For-Hire sport fishing experience to the passengers themselves. Economic impacts are measures of the economic value of For-Hire fishing vessel and passenger activity on other industries in the economy.

The goal of the study will distinguish the effects of the For-Hire fishery from the effects of private recreational boaters and the commercial fishery. Many related businesses (hotels, restaurants, marinas, tackle shops, fuel and bait suppliers, boat yards, boat builders, etc.) are directly affected by the success of the Charter/Headboat industry. The For-Hire fishery also supports commercial fisheries and commercial fish houses through ice and bait purchases. The industry is also important for tourism development, as a very large percentage of the business comes from out of state. The results of the study will not only be useful to state and local Travel and Tourism Boards, but also, to fishery managers in delineation of the For-Hire industry as a separate fishery in fishery management discussions.

The surveys will be collected through October 31, 2008 to ensure that a full year of fishing data is collected.

The status of the study, as of July 2008, reported that a cumulative total of 551 completed passenger surveys and 57 completed captain surveys have been sent to UNC. Participating boat captains are being “thanked” for their time to complete the rather lengthy annual expenditures survey with a \$100.00 gasoline gift card.

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Robbi Viveiros, Marketing Director
robbiofncwu@yahoo.com

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If you are a Regular member and have not received your T-shirt, please email me at RobbiofNCWU@yahoo.com, and I'll get it right out to you - with our sincere thanks for your membership.

NCWU Logo vanity plates in full color are now available for \$20.00 each. Email me to order one and show your pride and your support for your fellow watermen.